



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

President - Kevin Graves • Vice-President - Chris Steele • Director - Brian Dawson • Director - Mark Simon • Director - Ray Tetreault

**NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD
Wednesday November 16, 2011
REGULAR MEETING 7:00 P.M.
1800 Willow Lake Road, Discovery Bay, California
Website address: www.todb.ca.gov**

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m.
2. Pledge of Allegiance
3. Roll Call

B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)

During Public Comments, the public may address the Board on any issue in the District's jurisdiction, which is not on the agenda. The public may comment on any action item on the agenda at the time that item is taken up. Any person wishing to speak must come up and speak from the podium. There will be no dialog between the Board and the commenter. Any clarifying questions from the Board must go through the Chair.

C. PRESENTATIONS

1. East Contra Costa Fire Protection District (ECCFPD) – New Board Member Introduction

D. PRESIDENT REPORT AND DIRECTORS' COMMENTS

E. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Minutes of previous Regular meeting dated October 19, 2011
2. Minutes of previous Regular meeting dated November 2, 2011
3. Minutes of previous Special Workshop dated November 9, 2011
4. District Invoices
5. Claim against the District – Diana Hanson
6. Adopt Resolution 2011-24 to Preclude Members and former members of the Board of Directors and Retired employees from receiving Medical and Ancillary Health Care Benefits

F. NEW BUSINESS AND ACTION ITEMS

1. Proposal to conduct bioassay tests for the two (2) Trojan UV disinfection systems at Wastewater Treatment Plant II
2. Approve Purchase of One (1) Aero-Mod Belt Press for Bio Solids production
3. Adopt Resolution 2011-23 Establishing a Town of Discovery Bay CSD Developer Deposit Holding Fund
4. Request for comment for a home based business at 1669 Willow Lake Road

G. VEOLIA REPORT

H. MANAGER'S REPORTS

I. GENERAL MANAGER'S REPORT

J. DISTRICT LEGAL COUNSEL REPORT

K. COMMITTEE UPDATES

L. CORRESPONDENCE-Discussion and Possible Action

1. R – Letter from Supervisor Piepho to Philip Kader, Chief Probation Office Contra Costa County, regarding the recent escape of four (4) wards at the Orin Allen Youth Rehabilitation Facility
2. R – Transplan Committee Minutes for October 13, 2011
3. R – Letter from Supervisor Piepho regarding Board Order – Appointment to the East Contra Costa Fire Protection District
4. R – Letter from the Contra Costa County Probation Department regarding the Orin Allen Youth Rehabilitation Facility

M. PUBLIC RECORD REQUESTS RECEIVED

1. Request from William Richardson – Richardson Letter re: President Graves – Request date November 3, 2011

N. FUTURE AGENDA ITEMS

O. ADJOURNMENT

Adjourn to next Regular meeting of December 7, 2011 starting at 7:00pm at 1800 Willow Lake Road-Located in back of the Delta Community Presbyterian Church.

"This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Town of Discovery Bay, at (925)634-1131, during regular business hours, at least twenty-four hours prior to the time of the meeting."

"Materials related to an item on the Agenda submitted to the Town of Discovery Bay CSD after distribution of the agenda packet are available for public inspection in the District Office located at 1800 Willow Lake Road during normal business hours."



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

President - Kevin Graves • Vice-President - Chris Steele • Director - Brian Dawson • Director - Mark Simon • Director - Ray Tetreault

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY CSD

Wednesday October 19, 2011

REGULAR MEETING 7:00 P.M.

1800 Willow Lake Road, Discovery Bay, California

Website address: www.todb.ca.gov

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

The business meeting was called to order 7:00 p.m. President Graves led in the Pledge of Allegiance. Roll call was taken and all Directors were present.

B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)

Resident Mark Doran – Commented on the subject of Board Member conduct.

Resident Michael Greggans – Commented on the need of a street light and a crosswalk at the intersection of Discovery Bay Boulevard and Clipper Drive. Also commented on the Rental Inspection Program and the future Dog Park.

Resident Don Flint – Thanked President Graves for calling him and talking about decorum. Also, commented on the Community Center and Communications meetings being recorded and one (1) of the Board Members conduct.

President Graves – Stated that item D – PRESIDENT REPORT AND DIRECTORS' COMMENTS – number (1) appointment of Vice-President has been moved to this location.

Director Dawson – Nominated Director Steele for Vice-President

Director Simon – Nominated Director Tetreault for Vice-President

Resident Don Flint – Commented on Item D-1 – Appointment: Vice-President (Vacant) – On the process of voting

Nomination by Director Dawson – Director Steele as Vice-President carried by the following vote: AYES: 3 – President Graves, Director Dawson, and Director Steele; NOES: 1 – Director Tetreault; ABSTAIN: 1 – Director Simon

President Graves – Presented Certificate to Veolia Plant Manager, Gerald Smart, who is moving on to a new position within Veolia at their Gresham, OR operation

C. PRESENTATIONS

1. County Department of Emergency Services

General Manager Howard – Introduced Rick Kovar, the Emergency Services Manager.

Rick Kovar Emergency Services Manager – Provided information in regards to Office of Emergency Services (OES) and the four (4) parts to the program, Preparedness, Mitigation, Response, and Recovery.

There was discussion between the Board, the Emergency Services Manager and the Public. Resident William Richardson and Resident Amanda Dove Commented on Item C.

D. PRESIDENT REPORT AND DIRECTORS' COMMENTS

1. Appointment: Vice-President (Vacant)

Item one (1) has been addressed above

Director Tetreault – Provided details of the Community Center meeting that was held on Tuesday, October 18, 2011

Vice-President Steele – Reminder of the meeting for the Byron Union School District that he will be attending, Thursday, October 20, 2011.

President Graves – Provided the details of the Communications Committee meeting that was held on Wednesday, October 19, 2011.

President Graves – Provided his report and stated that he and General Manager Howard attended the 2011 CSDA Annual Conference & Exhibitor Showcase on October 10, 2011 through October 13, 2011.

Resident Don Flint – Commented on recording the Community Center and Communications meetings.

E. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Minutes of previous Special meeting dated October 5, 2011.
2. Minutes of previous Regular meeting dated October 5, 2011
3. District Invoices
4. Capacity Fee Charge Report for Fiscal Year 2010-2011

General Manager Howard – Stated he would like to pull Item two (2) from the Consent Calendar.

Motion made – by Director Dawson to accept the Consent Calendar minus item number two (2) and seconded by Director Tetreault. Motion carried by the following vote: AYES: 5, NOES: 0

General Manager Howard – Stated that the minutes were amended to reflect the Public participation. Resident Don Flint commented on Item two (2)

Motion made – by Director Dawson to accept item two (2) as amended and seconded by Director Tetreault. Motion carried by the following vote: AYES: 5, NOES: 0

F. NEW BUSINESS AND ACTION ITEMS

1. **Adopt Resolution 2011-21 adopting changes to the Town of Discovery Bay Bylaws; and Adopt Resolution 2011-22 adopting changes to the Town of Discovery Bay Board Policy**

General Manager Howard – Stated that Item F-1 is adopting changes to the Bylaws and the Town of Discovery Bay Board Policy.

There was a discussion between the General Manager, Legal Counsel, the Board, and the Public. Resident Jeff Barber, Resident Michael Greggans, Resident Don Flint, Resident Gail Fritschler, and Resident Pat Richardson commented on Item F-1. The Board recommended that the Bylaws and the Board Policy be brought back with the suggested changes.

2. **Award of contract for annual Tree Maintenance RFP 11-03 to Cleary Bros.**

Parks and Landscaping Manger Perez – Provided the details of Item F-2 for the contract for annual Tree Maintenance
Motion made – by Director Tetreault to accept the lowest bidder of Cleary Bros for \$18,176.00 and seconded by Director Dawson. Motion carried by the following vote: AYES: 5, NOES: 0

3. **Agency Comment Request – Land Use Permit Application – AT&T Cellular/Presbyterian Church of San Francisco (1900 Willow Lake Road, Discovery Bay, CA)**

General Manager Howard – Introduced the representative from AT&T

Liz Zanninouch – Provided the details of the project

There was a discussion between the General Manager, the Board, and the Public. Resident Michael Greggans and Jeff Barber commented on Item F-3. The Board will move forward with no negative comment and Staff will draft a letter indicating that.

Motion made – by Director Dawson to respond to the County with no negative comment and seconded by Director Tetreault. Motion carried by the following vote: AYES: 5, NOES: 0

G. VEOLIA REPORT

Project Manager Berney Sadler – Provided the details of the September 2011 Monthly Operations Report. There was a discussion between the General Manager, the Board and the Public. Resident Don Flint commented on Item G.

H. MANAGER'S REPORTS

None

I. GENERAL MANAGER'S REPORT

General Manager Howard – Updated the Board on the recently purchased and installed Chopper Pump and that the Wastewater Master Plan has been posted to the District's Website. General Manager Howard would like to schedule a Workshop for November 9, 2011 at 6:30 p.m. Also, the vehicle that has been ordered should be received late this week or early next week.

President Graves stated to move forward with scheduling the Workshop for November 9, 2011 at 6:30 p.m.

J. DISTRICT LEGAL COUNSEL REPORT

1. Medical Benefit Coverage

Legal Counsel Dan Schroeder – Provided the details of Item J-1. There was a discussion between the General Manager, Legal Counsel, the Board, and the Public. Resident Jeff Barber, Michael Greggans, Don Flint, Gail Fritschle, and Mark Doran commented on Item J-1.

Director Tetreault – Commented that he felt Item J-1 was handled wrong and that it should have been mentioned that the Board of Directors were included. He further commented that he was participating in coverage at \$40.00 a month to cover what is lacking from other insurance because it was available.

K. COMMITTEE UPDATES

None

L. CORRESPONDENCE-Discussion and Possible Action

1. R – East Contra Costa Fire Protection District Minutes for September 12, 2011
2. R – Contra Costa County Aviation Advisory Committee Minutes for July 14, 2011
3. R – Letter from Supervisor Piepho to Senator Mark DeSaulnier regarding re-establishing the Safety Enhancement Double Fine Zone on Vasco Road dated October 5, 2011
4. R – Letter from Supervisor Piepho to President Graves regarding the Board Order California Department of Boating and Waterways Vessel Turn-In Program Grant dated October 5, 2011
5. R – Letter from Supervisor Piepho to Superintendent Ken Jacopetti regarding the Board Order Amendment #28-333-1 with Byron Union School District dated October 5, 2011
6. R – Transplan Committee Meeting Minutes for September 8, 2011
7. R – State Route 4 Bypass Authority Minutes for August 11, 2011
8. R – State Route 4 Bypass Authority Minutes for September 8, 2011

M. PUBLIC RECORD REQUESTS RECEIVED

1. Request from William Richardson - Who Can Speak for CSD, When, Etc.? – Request date October 3, 2011
2. Request from Jeff Baber – Request re: Medical Benefits – Request date October 4, 2011
3. Request from David Lennon – Water Use Records for Non Residential Water Meters – Request date October 4, 2011

N. FUTURE AGENDA ITEMS

President Graves – Agenda's consistent with the Brown Act

Director Tetreault – Athletic Club - Community Center site and what types – Stand alone Community Center or would include offices for District Staff

Resident Jeff Barber – Insurance

Resident Don Flint – Medical Plan, Committee Meetings being recorded, and discussion on funding for non-rate payer expenses

President Graves – Stated that there are no other items

N. ADJOURNMENT

Motion made – by Director Dawson to adjourn the Regular meeting and seconded by Director Simon. Motion carried by the following vote: AYES: 5, NOES: 0

The meeting adjourned at 9:03 pm to next Regular meeting of November 2, 2011 starting at 7:00pm at 1800 Willow Lake Road-Located in back of the Delta Community Presbyterian Church.

For the Audio of this meeting please visit our Website at
<http://www.todb.ca.gov/content/2011-agendas-and-minutes/>

//cmc.11.9.11



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

President - Kevin Graves • Vice-President - Chris Steele • Director - Brian Dawson • Director - Mark Simon • Director - Ray Tetreault

MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD
Wednesday November 2, 2011
REGULAR MEETING 7:00 P.M.
1800 Willow Lake Road, Discovery Bay, California
Website address: www.todb.ca.gov

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

Call to Order – 7:00 p.m. by President Graves
Pledge of Allegiance – Led by President Graves
Roll Call – All Present

B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)

There were three (3) Public Comment Speakers

C. AREA AGENCIES REPORTS / PRESENTATION

1. SHERIFF'S OFFICE REPORT

Tony Fontenot – Provided the law enforcement report for the months of September and October.

2. CHP REPORT – No Report

3. FIRE DISTRICT REPORT

Chief Burris – Provided his report and the details for the month of October.

4. EAST CONTRA COSTA FIRE PROTECTION DISTRICT REPORT – No report

5. SUPERVISOR MARY PIEPHO, DISTRICT III REPORT

President Graves – Provided updates on behalf of Supervisor Piepho's Office – New East Contra Costa Fire Protection District Representative is Cheryl Morgan.

D. COMMITTEE/LIAISON REPORTS

1. Trans-Plan Report – No Report

2. County Planning Commission Report - No Report

3. Code Enforcement Report - General Manager Howard reported he was unable to attend meeting

4. Special Districts Report – No Report

***These meetings are held Quarterly*

E. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Minutes of previous regular meeting dated October 19, 2011

2. District Invoices

3. District Financials

4. Annual "State of the Town" Chamber of Commerce Event for 2012

Motion by: Director Simon to accept Consent Calendar minus Item E-1 and Item E-4

Second by: Director Dawson

Vote: Motion carried – AYES: 5, NOES: 0

There was discussion between the Public, the General Manager, and the Board in regards to Item E-1. There was one (1) Public Comment Speaker

Motion by: Director Simon to review the Minutes for the items discussed and bring back to the next meeting

Second by: Director Tetreault

Vote: Motion carried – AYES: 5, NOES: 0

There was discussion between the Public, the General Manager, and the Board in regards to Item E-4. There were four (4) Public Comment Speakers

Director Tetreault – Stated he has never missed a “State of the Town” event - will go without a Stipend and a meal ticket.

Motion by: Director Simon for the meal ticket to be optional and to not accept a stipend

Second by: Director Tetreault

Vote: Motion carried – AYES: 5, NOES: 0

F. NEW BUSINESS AND ACTION ITEMS

1. **Adopt Resolution 2011-21 adopting changes to the Town of Discovery Bay Bylaws; and Adopt Resolution 2011-22 adopting changes to the Town of Discovery Bay Board Policy**

General Manager Howard – Provided details of Item F-1

There was discussion between the Public, the General Manager, and the Board in regards to Item F-1. There was one (1) Public Comment Speaker

Motion by: Director Tetreault to approve Item F-1 with the two (2) corrections made

Second by: Vice-President Steele

Vote: Motion carried – AYES: 5, NOES: 0

2. **Response to Contra Costa County Civil Grand Jury Report 1003**

General Manager Howard – Provided details of Item F-2

Motion by: Vice-President Steele to approve the letter and authorize the President to sign

Second by: Director Simon

Vote: Motion carried – AYES: 5, NOES: 0

3. **Agency Comment Request – Land Use Permit Application – Metro PCS/Discovery Bay Yacht Harbor**

General Manager Howard – Provided the details of Item F-3

There was discussion between Water and Wastewater Manager, the General Manager, and the Board in regards to Item F-3.

Motion by: Director Simon to have Staff write the letter, pending signature, and not mail letter until verification

Second by: Director Dawson

Vote: Motion carried – AYES: 5, NOES: 0

4. **Design Services for Slifer Park Improvement Project – Phase I**

General Manager Howard – Provided the details of Item F-4

There was discussion between the General Manager and the Board in regards to Item F-4:

Motion by: Director Dawson to accept proposal and direct General Manager to execute contract documents with Bruce Jeff Associates, Inc. in the amount of \$7,980.00 (plus reimbursables) for Slifer Park Improvement Project – Phase I

Second by: Director Simon

Vote: Motion carried – AYES: 5, NOES: 0

5. **Groundwater Level Monitoring and Reporting Services**

General Manager Howard – Provided the details of Item F-5

There was discussion between the Water and Wastewater Manager, the General Manager and the Board in regards to Item F-5.

Motion by: Director Tetreault to approve the Contract at \$17,350.00

Amended by: Director Tetreault to approve the Contract not to exceed \$20,000

Second by: Director Simon

Vote: Motion carried – AYES: 5, NOES: 0

G. PRESIDENT REPORT AND DIRECTORS' COMMENTS

Vice-President Steele – Provided his report and the details of the October 20, 2011 Byron Union School District meeting.

Director Tetreault – Provided an update from the Sub-Committee meeting on November 1, 2011 for the Wastewater Master Plan.

Director Dawson – Commented on the Landscaping and the Cornell Park upgrades.

H. MANAGER'S REPORT

1. **Wetlands Update**

Water and Wastewater Manager Koehne – Provided slides in regards to Item H-1.

There was discussion between the Public and the Water and Wastewater Manager in regards to Item H-1. There was one (1) Public Comment Speaker

I. GENERAL MANAGER'S REPORT

1. **Medical Benefits and Possible Action**

General Manager Howard – Provided a review of Item I-1

There was discussion between the Public, the General Manager, and the Board in regards to Item I-1. There were three (3) Public Comment Speakers

Motion by: Director Tetreault to rescind coverage for Directors and Retirees from the Plan

Second by: Director Simon

Vote: Motion carried – AYES: 4 – Graves, Steele, Simon, Tetreault, NOES: 1 – Dawson

J. DISTRICT LEGAL COUNSEL REPORT

No Report

K. COMMITTEE UPDATES

1. Request from the Community Center Committee to seek Board consideration and possible action of Athletic Club site (APN 008-200-014 and 008-200-011) as a potential Community Center location.

There was discussion between the Public, the General Manager, and the Board in regards to Item K-1. There were two (2) Public Comment Speakers

Motion by: Director Tetreault to direct Staff to contact the County and setup a meeting with Hofmann along with two (2) Directors to discuss the ability of exploring as an alternative site, the Athletic Club

Second by: Director Simon

Vote: Motion carried – AYES: 4 – Graves, Dawson, Simon, Tetreault, NOES: 1 – Steele

2. Minutes approved for the Town of Discovery Bay CSD Regular Meeting of the Communications Committee dated September 21, 2011
3. Minutes approved for the Town of Discovery Bay CSD Regular Meeting of the Community Center Committee dated September 22, 2011

L. CORRESPONDENCE – Discussion and Possible Action

1. S – Letter to Gary Kupp with the Contra Costa County Department of Conservation and Development regarding County File Number LP11-2074 (AT&T) dated October 20, 2011
2. R – Letter from Contra Costa County Board of Supervisors regarding the Request to Extend Water Hyacinth Control BO to November 30, 2011

M. PUBLIC RECORD REQUESTS RECEIVED

1. Request from William Richardson – Director Brian Dawson – Request date October 11, 2011
2. Request from William Richardson – Demand to Cures – Request date October 14, 2011
3. Request from Don Flint – Audio Recordings of Committee Meetings – Request date October 19, 2011
4. Request from Don Flint – Bylaws & Policies Resolutions – Request date October 20, 2011

N. FUTURE AGENDA ITEMS

Director Dawson – Internship Program

There was one (1) Public Comment Speaker

O. ADJOURNMENT

Motion by: Director Dawson to adjourn the meeting

Second by: Director Simon

Vote: Motion carried – AYES: 5, NOES: 0

The meeting adjourned at 9:15 pm. to the next regular meeting on November 16, 2011 at 1800 Willow Lake Rd – Located in back of Delta Community Presbyterian Church

For the Audio of this meeting please visit our Website at <http://www.todbc.ca.gov/content/2011/agendas-and-minutes/>

//cmc – 11.9.11



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

President - Kevin Graves • Vice-President - Chris Steele • Director - Brian Dawson • Director - Mark Simon • Director - Ray Tetreault

MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY CSD
Wednesday November 9, 2011
WORKSHOP MEETING 6:30 P.M.
1800 Willow Lake Road, Discovery Bay, California
Website address: www.todb.ca.gov

WORKSHOP MEETING 6:30 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

Call to Order – 6:30 p.m. by President Graves
Pledge of Allegiance – Led by Director Simon
Roll Call – All Present

B. PUBLIC COMMENTS (Public Comments will be limited to a 3-minute time limit)

None

C. WORKSHOP ITEM

1. Wastewater Master Plan – (The Wastewater Master Plan is posted on the Town of Discovery Bay CSD Website at www.todb.ca.gov)

General Manager Howard introduced Gregory Harris from HERWIT Engineering and Steve Beck from Stantec Engineering to present the findings of the Wastewater Master Plan.

Gregory Harris – HERWIT Engineering and Steve Beck – Stantec – Provided a Presentation for the Wastewater Master Plan which included doing an assessment of the existing facility, analysis of the future needs, and develop a direction for future improvements.

There was discussion between the Gregory Harris, Steve Beck, the General Manager, the Board, and the Public.

There were four (4) Public Comment Speakers

D. FUTURE AGENDA ITEMS

Water Master Plan and Wastewater Master Plan Workshop – After the first of the year

E. ADJOURNMENT

The meeting was adjourned at 8:35 p.m. to the next Regular meeting of November 16, 2011 at 7:00pm at 1800 Willow Lake Road-Located in back of the Delta Community Presbyterian Church.

For the Audio of this meeting please visit our Website at
<http://www.todb.ca.gov/content/2011-agendas-and-minutes/>

//cmc – 11.10.11



Town of Discovery Bay
"A Community Services District"
AGENDA REPORT

Meeting Date
November 16, 2011

Prepared By: Liz Hardy, Sr. Accounts Clerk
Submitted By: Rick Howard, General Manager

Agenda Title

District Invoices

Recommended Action

Staff recommends that the Board approve the listed invoices for payment

Executive Summary

District invoices are paid on a regular basis, and must obtain Board authorization prior to payment. Staff recommends Board authorization in order that the District can continue to pay warrants in a timely manner.

Fiscal Impact:

Amount Requested \$250,342.65

Sufficient Budgeted Funds Available?: Yes (If no, see attached fiscal analysis)

Prog/Fund # See listing of invoices. **Category:** Operating Expenses and Capital Improvements

Previous Relevant Board Actions for This Item

Attachments

Request For Authorization to Pay Invoices for the Town of Discovery Bay CSD 2011/2012
Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District # 8 2011/2012
Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District # 9 2011/2012

AGENDA ITEM: E-4

**Request for authorization to pay invoices (RFA)
For the Meeting on November 16, 2011
Town of Discovery Bay CSD
For Fiscal Year's 7/11 - 6/12**

Acct Code						
1	7011	RellaStar	Inv#JR52 457(b)	Benefits for 11/16-11/30/11		\$1,078.05
	7024	RellaStar	Inv#JR52 457(b)	Benefits for 11/16-11/30/11		\$288.49
					Sub-Total	\$1,366.54
2	7011	SDRMA	Inv#0008857-IN, dtd 11/7/11	Employee Medical Benefits	December 2011	\$1,580.91
	7024	SDRMA	Inv#0008857-IN, dtd 11/7/11	Employee Medical Benefits	December 2011	\$628.97
					Sub-Total	\$2,107.88
3	7030	SDRMA	Inv# 37877, dtd 10/26/11	Workers Comp Final Audited Contribution for 10/11		\$1,566.47
4			<u>Cal Card - Statement Ending 9/26/11</u>			
	7102			Directors - Travel & Training		\$525.00
	7301			General Repairs - W/S		\$3,778.48
	7305			General Repairs - Pumps		\$2,258.28
	7430			Office Supplies		\$10.83
	7490			Staff - Travel & Training		\$594.00
	7510			Info Systems Maintenance		\$278.98
	7520			Cellular Communications/Data		\$187.80
	7550			Telephone		\$777.85
	7690			Equipment Maintenance/Fuel		\$2,385.24
	7950			Misc. Services & Supplies		\$25.00
	7952			Misc. Reimbursable		\$44.32
					Sub-Total	\$10,865.78
5	7215	Stantec	Inv# 537200, dtd 11/03/11	WWTP Master Plan		\$9,402.15
6	7215	Veolia Water	Inv#00008407, dtd 11/2/11	Monthly O&M Contract for November 2011		\$94,744.16
7	7225	Croce & Company	Inv# 001113773, dtd 10/31/11	Prep of Special District State Report		\$1,275.00
8	7301	American Retrofit Systems	Inv#154, dtd 11/04/11	L&M to install electric for TV		\$385.00
9	7301	American Retrofit Systems	Inv#155, dtd 11/4/11	Lto repair broken conduit /Chamber A Blo		\$200.00
					Sub-Total	\$585.00
10	7301	iProcesSmart.com	Inv# 9122, dtd 10/28/11	Solenoid Valves		\$868.82
11	7301	Ferguson Waterworks	Inv# 0780004, dtd 10/20/11	Ck Valve Arm & Weight	WWTP #2	\$4,055.59
12	7301	Filter Belts	Inv# ME73865, dtd 10/27/11	Parts for Belt Press #1		\$1,427.12
13	1112-002	J.W. Backhoe	Inv#1609, dtd 10/26/11	Raise 18 manholes and 7 water valve covers		\$19,900.00
14	7301	J.W. Backhoe	Inv#1610, dtd 10/26/11	Repair leak at 1355 Shell Ct.		\$2,795.88
15	7301	J.W. Backhoe	Inv#1612, dtd 10/26/11	Replace gate valve @ Shell Ct & Riverlake		\$8,144.94
16	7301	J.W. Backhoe	Inv#1617, dtd 10/28/11	Repair leak at 580 DB Blvd.		\$3,284.38
17	7301	J.W. Backhoe	Inv#1618, dtd 10/28/11	Repair leak @ 5335 Willow Lake Ct		\$3,977.79
					Sub-Total	\$36,102.99
18	7301	Paul E. Vaz Trucking	Inv# 16217, dtd 10/31/11	Material for Water Treatment Plant		\$412.64
19	7301	Paul E. Vaz Trucking	Inv# 16218, dtd 10/31/11	Hauling of Material for Water Treatment Plant		\$496.89
					Sub-Total	\$909.53
20	7301	Siemens	Inv# 900432158, dtd 10/21/11	Rotor Blade Hrdwr & Bolts and Nuts		\$2,230.39
21	7305	Kirby's Pump & Mechanical Inc.	Inv# 2620, dtd 10/31/11	Pump repair		\$1,703.35
22	7305	Shape Inc.	Inv# 116378, dtd 10/20/11	Pump Rebuild LS "S"		\$655.00
23	7330	Univar	Inv# SJ251609, dtd 10/21/11	Chemicals for 1800 Newport Dr		\$1,053.83
24	7330	Univar	Inv# SJ251610, dtd 10/21/11	Chemicals for 1800 Willow Lake Rd		\$1,605.95
					Sub-Total	\$2,659.78
25	7410	Ricoh	Inv# 413787559, dtd 11/01/11	Copier Maintenance for Oct 2011		\$263.61
26	7520	Verizon Wireless	Inv#1025670726, dtd 10/26/11	Monthly wireless service		\$382.77
27			<u>Petty Cash - 7/01/11 - 11/2/11</u>			
	7670			Office Equipment/Software		\$7.58
	7950			Misc. Services & Supplies		\$147.29
					Sub-Total	\$154.87
28	7680	Cosco		Flat Sscreen T.V. for Board Room		\$874.24

Request for authorization to pay invoices (RFA)
 For the Meeting on November 16, 2011
 Town of Discovery Bay CSD
 For Fiscal Year's 7/11 - 6/12

Acct Code						
29	7952	Gates & Associates	Inv# 33210, dtd 11/01/11	Regatta Basketball Court plans	(Z-57 #4265)	\$45.65
30	7952	Gates & Associates	Inv# 33211, dtd 11/01/11	Regatta Basketball Court plans	(Z-57 #4265)	\$308.48
					Sub-Total	\$354.13
31	7952	My. Bark	Inv# 4636, dtd 11/07/11	Mulch	(Z-61 #2282)	\$1,382.70
32	7952	Odyssey Landscape Co.	Inv# 36036448, dtd 10/24/11	Monthly Contract	(Z-57 #2282)	\$2,635.00
	7952	Odyssey Landscape Co.	Inv# 36036448, dtd 10/24/11	Monthly Contract	(Z-61 #2282)	\$4,280.00
	7952	Odyssey Landscape Co.	Inv# 36036448, dtd 10/24/11	Monthly Contract	(Z-35 #2282)	\$215.00
33	7952	Odyssey Landscape Co.	Inv# 36036461, dtd 10/30/11	Install Winter color	(Z-35 #2282)	\$1,300.00
34	7952	Odyssey Landscape Co.	Inv# 36036462, dtd 10/30/11	Install Winter color	(Z-61 #2282)	\$625.00
35	7952	Odyssey Landscape Co.	Inv# 36036483, dtd 10/30/11	Install Drain line	(Z-61 #2282)	\$720.00
36	7952	Odyssey Landscape Co.	Inv# 36036484, dtd 10/30/11	Install Drain line	(Z-61 #2282)	\$720.00
					Sub-Total	\$10,495.00
37	7952	Ross Recreation Equipment	Inv# 90729, dtd 10/28/11	Slifer Repair Parts	(Z-61 #2282)	\$2,164.42
38	7952	W.J. Kirk Welding	Inv# 43360, dtd 11/02/11	Repair bench at Regatta Park	(Z-57 #2282)	\$80.00
					Total TODB	\$188,757.29

Request for authorization to pay Invoices (RFA)
 For the Meeting on October 19, 2011
 Town of Discovery Bay, D.Bay L&L Park #8
 For Fiscal Year's 7/11 - 6/12

Acct Code					
1	2120	Discovery Bay Disposal Acct# 17-0001966, dtd 10/27/11	Service for Oct 2011		\$272.00
2		<u>Cal Card - Statement Ending 9/26/11</u>			
	2100	Office Expenses			\$54.47
	2271	Automotive Supplies & Repairs			\$5.13
	2272	Gasoline/Fuel for Equipment			\$339.27
	2281	Maintenance of Buildings			\$25.59
	2282	Grounds Maintenance			\$155.74
	2303	Other Travel Employee Expenses			\$80.00
	2479	Other Special Expenses			\$809.80
	4789	DB L&L #8 Playground Equipment			\$351.26
					\$1,821.26
3	2282	ValleyCrest Landscaping Inv#1856965, dtd 10/27/11	Installation of Controller		\$220.00
4	2282	ValleyCrest Landscaping Inv#3866776, dtd 10/27/11	Shrub planting		\$920.00
5	2282	ValleyCrest Landscaping Inv#3867905, dtd 10/28/11	Cornell Park plantings		\$1,470.00
6	2282	ValleyCrest Landscaping Inv#3867906, dtd 10/28/11	Cornell Park Irrigation modification		\$710.00
7	2282	ValleyCrest Landscaping Inv#3867908, dtd 10/28/11	Cornell Park plantings		\$246.00
8	2282	ValleyCrest Landscaping Inv#3867913, dtd 10/28/11	R&R plants on Marina Dr.		\$1,200.00
9	2282	ValleyCrest Landscaping Inv#3867915, dtd 10/28/11	Planting @ Front Entrance		\$1,600.00
				Sub-Total	\$6,366.00
10	2310	Town of Discovery Bay CSD Inv# 3112, dtd 10/31/11	Payroll Reimb for June 2011		\$7,496.74
11	2310	Town of Discovery Bay CSD Inv# 3122, dtd 11/02/11	Payroll Reimb for July 2011		\$9,238.54
12	2310	Town of Discovery Bay CSD Inv# 3131, dtd 11/02/11	Payroll Reimb for Aug 2011		\$11,626.73
13	2310	Town of Discovery Bay CSD Inv# 3137, dtd 11/02/11	Payroll Reimb for Sept 2011		\$12,459.50
				Sub-Total	\$40,821.51
14	4789	Gates & Assoc. Inv# 33206, dtd 11/01/11	Services thru 10/30/11 for Cornell Park		\$397.50
15	4829	Express Employment Inv#10253076-3, dtd 10/26/11	Temp: Darren Tanti	w/e 10/23/11	\$831.32
16	4829	My Bark Inv# 4636, dtd 11/07/11	Bark		\$1,382.71
17	2282	Watersavers Irrigation Inv#1112354, dtd 10/24/11	Various Irrigation products		\$426.81
	4829	Watersavers Irrigation Inv#1112354, dtd 10/24/11	Various irrigation products		\$140.63
18	2282	Watersavers Irrigation Inv#1112368, dtd 10/24/11	Slip Quik Fix		\$6.99
19	2130	Watersavers Irrigation Inv#1115104, dtd 11/01/11	Stakes, Ties & Gloves		\$8.18
	4829	Watersavers Irrigation Inv#1115104, dtd 11/01/11	Stakes, Ties & Gloves		\$143.54
				Sub-Total	\$726.16
20	4853	R&M Signs Invoice dtd 11/04/11	2 truck logos		\$40.00
				TOTAL	\$52,658.45

Request for authorization to pay invoices (RFA)
 For the Meeting on November 16, 2011
 Town of Discovery Bay, D.Bay I.&L. Park #9 (Ravenswood)
 For Fiscal Year's 7/11 - 6/12

Acct Code			
1		<u>Cal Card - Statement Ending 9/26/11</u>	
	2272	Gasoline/Fuel for Equipment	\$241.81
	2282	Grounds Maintenance	<u>\$102.61</u>
			\$344.42
2	2282	Odyssey Landscape Co. Inv# 36036448, dtd 10/24/11 Monthly Contract	\$2,725.00
3	2310	Town of Discovery Bay Inv# 3113, dtd 10/31/11 Payroll reimb for June 2011	\$1,360.51
4	2310	Town of Discovery Bay Inv# 3123, dtd 11/02/11 Payroll reimb for July 2011	\$2,229.31
5	2310	Town of Discovery Bay Inv# 3132, dtd 11/02/11 Payroll reimb for Aug 2011	\$1,362.46
6	2310	Town of Discovery Bay Inv# 3138, dtd 11/02/11 Payroll reimb for Sept 2011	<u>\$905.21</u>
		Sub-Total	\$5,857.49
		Total	\$8,926.91



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

November 16, 2011

Prepared By: Rick Howard, General Manager
Submitted By: Rick Howard, General Manager *RHW*

Agenda Title

Claim against the District – Diana Hanson

Recommended Action

It is Recommended that the Board Reject this Claim

Executive Summary

The District has received a claim for damages from Diana Hanson. The damages claimed are associated with discolored water, or "Brown Water" associated with the District's domestic water distribution system. Diana Hanson indicated on Claim Form number 111003 that on September 9, 2011 she washed a white comforter and subsequent to washing the comforter the comforter had discolored.

Diana Hanson then washed the comforter with bleach several times, which reduced the discoloring, however did not remove completely.

Brown water is a result of a buildup of iron and manganese sediment in the water system that is occasionally naturally dislodged through high volume periods of flow. In order to correct this problem, the District's water contractor, Veolia Water, has been flushing fire hydrants to eliminate the buildup that causes the brown water in the first place. When flushing occurs, it is likely that there will be increased periods of brown water as a result of the flushing process.

Fiscal Impact:

Amount Requested \$
Sufficient Budgeted Funds Available?: (If no, see attached fiscal analysis)
Prog/Fund # Category: Pers. Optg. Cap. -or- CIP# Fund#

Previous Relevant Board Actions for This Item

N/A

Attachments

Claim from Diana Hanson

AGENDA ITEM: E-5

OCT 03 2011



TOWN OF DISCOVERY BAY CSD

1800 Willow Lake Road, Discovery Bay, CA 94505-9376

Telephone: (925) 634-1131 Fax: (925) 513-2705

CLAIM FORM

Claim # 111003

The following claim is submitted to the Town of Discovery Bay CSD pursuant to Section 910 et seq. of the California Government Code.

1. The name, mailing address and phone number of claimant is as follows:

Name: Diana Hanson
Mailing address: 2373 Wayfarer Dr.
Discovery Bay, CA
Phone number: 925 516-0871

2. The name, mailing address and phone number of person to receive notices concerning this claim is as follows:

Name: Diana Hanson
Mailing address: 2373 Wayfarer Dr.
Discovery Bay, CA 94505
Phone number: 925 516-0871

3. Provide the date, time and location of the occurrence or event giving rise to the claim asserted. 9/9/11, Evening, 2373 Wayfarer Dr.

4. Provide a description of the circumstances of the occurrence or event giving rise to the claim asserted. Washed all white comforter and the water was brown. A

5. Provide a description of loss, injury, damage, indebtedness or obligation incurred to the extent known at this time. After washing the comforter it was brown. Washed with bleach water several times and that reduced the brown but did not remove it all.

6. Provide the name or names of the Town of Discovery Bay CSD employee or employees causing the injury, damage or loss, if known.

Bill / Maxie } didn't cause it, but responded
DH

7. Provide the amounts claimed at present, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at this time, together with the basis of computation of the amount claimed.

\$ 75.76

Please list the specific items damaged below:

Item(s)	Cost of Item(s)
White comforter	\$ 75.76
Total Cost of Items:	\$ 75.76

8. Provide the name, address and phone number of all witnesses, doctors and/or hospitals etc.

William Hanson
Bill (the person from the town of Discovery Bay)
who came to check the brown water.

I have read this claim and know the contents therein and declare under penalty of perjury under the laws of the State of California that the information provided herein is true and correct.

Dated 10/3/11

Signed: Diana Hanson

All claim forms must be signed and dated by the claimant or person acting on a claimant's behalf.

All claims must be completed in their entirety, giving a precise description of the date, location and circumstances giving rise to the claim. Written estimates or bills, if available, should be attached to claim form.

Where space is insufficient on the form, please use additional paper and identify your response for the specific numbered question.

Completed claim forms must be mailed or delivered to the Town of Discovery Bay CSD at 1800 Willow Lake Road, Discovery Bay, CA-94505.

Claims will be deemed filed on the date of actual receipt by the Secretary at the Secretary of the Board of Directors of the Town of Discovery Bay CSD's Office, or, if mailed, as of the date of deposit in the mail.



ANTIOCH SLATTEN RANCH - 925-752-0002
09/10/2011 01:01 PM EXPIRES 12/09/11



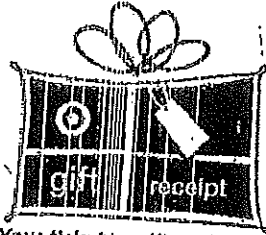
HOME			
062200194	FO COMFORTER	T	\$69.99
		SUBTOTAL	\$69.99
T = CA TAX	8.2500% on	\$69.99	\$5.77
		TOTAL	\$75.76
	*1007 AMEX CHARGE		\$75.76

Target Pharmacy We're here to help!
9am - 9pm M-F
9am - 6pm Sat
9am - 6pm Sun

REC#2-1253-1819-0078-7516-0 VCD#756-250-148

For product safety information,
log onto Target.com at home or on the
Instore kiosk and click Product Recalls.

----- CUT HERE ----->



Your ticket to gift perfection.

To: _____

From: _____



With this receipt, you can
return your gift for a GiftCard.
Some items can't be returned if opened.
RECEIPT EXPIRES ON 12/09/11

REC#5-1253-1819-0078-7516-0 VCD#756-250-148



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

November 16, 2011

Prepared By: Rick Howard, General Manager
Submitted By: Rick Howard, General Manager *RH*

Agenda Title

Adopt Resolution 2011-24 to Preclude Members and former members of the Board of Directors and Retired employees from receiving Medical and Ancillary Health Care Benefits

Recommended Action

That the Board of Directors affirm its action of November 2, 2011 to preclude Members and former members of the Board of Directors and Retired employees from receiving Medical and Ancillary Health Care Benefits and adopt Resolution 2011-24

Executive Summary

At the November 2, 2011 meeting of the Board of Directors, the Board voted to preclude Members and former members of the Board of Directors and Retired employees from receiving Medical and Ancillary Health Care Benefits.

By adopting Resolution 2011-24, the Board formally affirms their previous action of November 2, 2011.

Fiscal Impact:

Amount Requested \$
Sufficient Budgeted Funds Available?: (if no, see attached fiscal analysis)
Prog/Fund # Category: Pers. Optg. Cap. -or- CIP# Fund#

Previous Relevant Board Actions for This Item

November 2, 2011 Board Meeting – Item I.

Attachments

Resolution 2011-24

AGENDA ITEM: E-6



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2011-24**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT
PRECLUDING MEMBERS AND FORMER MEMBERS OF THE BOARD OF DIRECTORS AND RETIRED
EMPLOYEES FROM RECEIVING MEDICAL AND ANCILLARY HEALTH CARE BENEFITS**

WHEREAS, Town of Discovery Bay Community Services District provides medical and ancillary health coverage for employees, and;

WHEREAS, the Board of Directors voted four to one (4-1) at the regular Town of Discovery Bay Community Services District Board of Directors Meeting on November 2, 2011 to preclude members and former members of the Board of Directors and retired employees from receiving medical and ancillary health care benefits.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That members and former members of the Board of Directors and Retired Employees are precluded from participation in District sponsored Medical and Ancillary Health Care Benefit programs.

SECTION 2. The Board Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 16th DAY OF November 2011.

J. Kevin Graves
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on November 16, 2011, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Richard J. Howard
Board Secretary



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

November 16, 2011

Prepared By: Rick Howard, General Manager
Submitted By: Rick Howard, General Manager *RH*

Agenda Title

Proposal to conduct bioassay tests for the two (2) Trojan UV disinfection systems at Wastewater Treatment Plant II

Recommended Action

That the Board of Directors authorize the issuance of a purchase order in the amount of \$43,450 to Stantec Consulting Services Inc to conduct bioassay tests for the two (2) Trojan UV disinfection systems at Wastewater Treatment Plant II

Executive Summary

The Water and Wastewater Sub Committee met on November 1, 2011 and reviewed the Wastewater Master Plan (WWMP) with the District's Wastewater Engineer. At that meeting, the topic of conducting Bioassay tests was discussed, as they are included in the WWMP. The subcommittee, based on the recommendations of the District Engineer, recommended that a proposal be obtained in order to conduct these tests.

Bioassay tests are a method of determining the effectiveness of the existing and newly installed UV disinfection system. Currently, a lack of data has required that worst case parameters be assumed in the performance of the system. This has resulted in a reduced capacity of the system based on engineering analysis. As a result, an expansion of the UV system for capacity and reliability reasons now appears to be required sooner than originally anticipated. Testing the system will allow the engineers to definitively determine the likelihood and timing of UV system improvements recommended under the master plan. Since budgeting of items identified under the master plan is under discussion, proceeding with the testing now allows potential UV improvement costs to be properly allocated in the budgeting process.

Fiscal Impact:

Amount Requested \$43,450

Sufficient Budgeted Funds Available?:

Prog/Fund # Category: Pers. Optg. x Cap. -or- CIP# Fund#

Previous Relevant Board Actions for This Item

November 9, 2011 WWMP Board Workshop

Attachments

Proposal from Stantec Consultants Inc.

AGENDA ITEM: F-1



Stantec Consulting Services Inc.
3875 Atherton Road
Rocklin CA 95765
Tel: (916) 773-8100
Fax: (916) 773-8448

Stantec

November 3, 2011

Reference: Proposal for the UV Bioassay Tests at Discovery Bay WWTP

We are pleased to present this proposal to the Town of Discovery Bay Community Services District to conduct bioassay tests for the two Trojan UV Systems located at the Discovery Bay WWTP. The proposal covers design of the experimental set up, completion of a bioassay checkpoint tests, and preparation of the test report.

It is proposed to conduct these services on a time and expense basis in accordance with the attached fee schedule with a limiting fee of \$43,450. This contract will require amendment for additional fee if unforeseen problems are encountered during testing (e.g., revisions to the protocol assumed herein, equipment problems during testing, failure of virus during enumeration, etc.). A more detailed breakdown of anticipated project costs is provided in Table 2. It is assumed that the Discovery Bay WWTP staff will provide required wastewater flows through the system during the testing period.

Stantec tasks required to complete the testing are described below.

CHECKPOINT BIOASSAY TESTS

The UV system at the Discovery Bay WWTP includes two UV channels. The first channel contains TrojanUV3000 equipment that was installed in 2000. This channel has three UV banks. The second channel contains TrojanUV3000Plus equipment that was installed in 2010 to replace the previous Bailey/Fisher and Porter UV system. Four banks of the Trojan UV3000Plus equipment were installed. Currently, only the UV3000Plus system is generally being used. Disinfection is provided by making use of up to three banks at a time, depending on the flow rate and UV transmittance (UVT). The TrojanUV3000 equipment is used as a back-up system.

The bioassay tests will be conducted in UV Channels 1 and 2 to determine capacity of each channel. The UV banks will be tested at a flow rate of 2.0 Mgal/d, which is approximately the current average day maximum monthly flow. It is assumed that stable flow conditions will be available at the WWTP for 15 minutes for each of the nine tests described in Table 1. The measurements will be taken with a minimum lamp age of 100 hours. The UV banks will be tested under the following flow, transmittance, and power setting conditions:

Reference: Proposal for the UV Bioassay Test at Discovery Bay WWTP

Table 1
Checkpoint Bioassay Test Conditions

Test #	UVT	UV System	Operational Banks	Flow Rate (Mgal/d)	Power Setting
1	Background ^(a)	Trojan UV3000	AB	2.0	100%
2	Background	Trojan UV3000	BC	2.0	100%
3	Background	Trojan UV3000	AC	2.0	100%
4	Background	Trojan UV3000Plus	AB	2.0	80%
5	Background	Trojan UV3000Plus	AC	2.0	80%
6	Background	Trojan UV3000Plus	AD	2.0	80%
7	Background	Trojan UV3000Plus	BC	2.0	80%
8	Background	Trojan UV3000Plus	BD	2.0	80%
9	Background	Trojan UV3000Plus	CD	2.0	80%

(a) Background UVT is expected to be in the 55 to 60% range.

At least one five-point collimated beam dose-response curve will be developed for each 24 hours of testing per the NWRI/AWWARF Guidelines (2003). The collimated beam test doses will be in the 0 to 100 mJ/cm² range, with a minimum interval of 20 mJ/cm².

MS2 bacteriophage will be used as the test organism, with testing in accordance with standard protocols (U.S. EPA 2000). The strain *E. coli* ATCC 15597 will be substituted for *E. coli* HS[pFamp]R as the host bacterium for the enumeration of the MS2 bacteriophage.

UV SYSTEM PERFORMANCE EVALUATION

The data collected during the checkpoint bioassay test will be analyzed in the following manner:

- Virus concentrations (PFU/L) for inlet and outlet samples reported by the laboratory will be converted to logarithmic concentrations.
- Virus inactivation (log based) for each pair of inlet and corresponding outlet condition will be calculated.
- Average virus inactivation (log based) achieved during each of the bioassay tests (see Table 1) will be calculated. The average will be based on three pairs of inlet and outlet data collected for each test.
- The inactivation data will be translated into a Reduction Equivalent Dose (RED) via comparison to collimated beam generated MS2 dose-response data.
- The RED determined from the checkpoint bioassay test will be compared to the dose predicted by Trojan performance equation.

The approved Trojan performance equation will be considered appropriate if 87.5% of the data results in REDs equal to or greater than the design doses. However, if more than 12.5% of the tests result in REDs less than the predicted design doses, a de-rating factor will be determined such that at least 87.5% of the tests result in REDs equal to or greater than the associated predicted doses after de-rating.

Reference: Proposal for the UV Bioassay Test at Discovery Bay WWTP

REPORT

Upon completion of the testing, Stantec will prepare and submit a report that summarizes the results of the bioassay tests conducted at the Discovery Bay WWTP. The report will identify treatment capacity for each of the two UV systems located at the Discovery Bay WWTP.

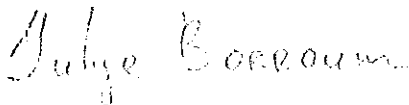
Table 2
Engineering Fee Estimate

Task	Hours/Rate			Total
	Principal \$215	Senior Engineer \$164	Operator \$118	
Develop Test Protocol	8	48		9,592
Bioassay Testing		40	40	11,280
Report	8	60		11,560
Laboratory Costs				
Collimated Beam (2 samples)				1,000
MS2 samples (54 samples)				3,510
Sample Shipping				500
Virus (10 Liters)				5,000
10% surcharge for subcontractor invoices				1,000
Total (rounded)				\$43,450

Please, contact me should you have any questions or comments regarding this proposal. We appreciate the opportunity to work with you on this project.

Sincerely,

STANTEC CONSULTING SERVICES INC.



Yulya Borroum
Senior Engineer, Environment
Tel: (916) 773-8100
Fax: (916) 773-8448
Yulya.Borroum@stantec.com



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

November 16, 2011

Prepared By: Virgil Koehne, Water and Wastewater Manager
Submitted By: Rick Howard, General Manager

Agenda Title

Approve Purchase of One (1) Aero-Mod Belt Press for Bio Solids production

Recommended Action

Approve issuance of a Purchase Order in the amount of \$241,000 for the purchase of one (1) Aero-Mod "TRITAN" 1.5-meter belt-press from MISCO Water, and direct staff to execute all contract documents.

Executive Summary

As a component of the Wastewater Master Plan (WWMP), one of the items that was highly recommended by the District's Engineer is the construction of a new belt press facility in order to relieve the sludge storage backup and meet current capacity requirements. This project is included in the current year Capital Improvement Program Budget. Additionally, on July 20, 2011 the Board authorized Herwit Engineering to design the Dewatering and Bio Solids Facility Expansion Project, which is nearing 100% design completion. This purchase is a part of that project.

As the lead time on a piece of equipment of this nature is approximately six (6) months, staff recommends that the purchase and production process begin at this time in order to meet the overall project schedule.

Once the design is complete, project bidding will commence and the Aero-Mod Belt Press will be installed as a part of that project.

It should be noted that this is a "sole source" bid as the belt press that is being specified is only manufactured through Aero-Mod and their vendor network. The existing equipment that we utilize is also Aero-Mod, and the ability to have one (1) manufacturer for consistency and efficiency is desirable.

Fiscal Impact:

Amount Requested \$241,000
Sufficient Budgeted Funds Available?: (If no, see attached fiscal analysis)
Prog/Fund # Category: Pers. Optg. Cap. -or- CIP# Fund#

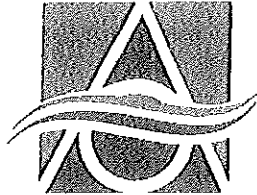
Previous Relevant Board Actions for This Item

2011 Budget Adoption – June 15, 2011
Dewatering and Bio Solids Facility Expansion Project Design – July 20, 2011

Attachments

Quote from Misco Water

AGENDA ITEM: F-2



AEROMOD

Wastewater Process Solutions .

November 10, 2011

To: David Ban, MISCO

From: Jeff Smith, Aero-Mod, Inc.

Re: TRITAN™ 1500 series belt filter press dewatering system proposal for Discovery Bay, CA.

Dear David,

I am pleased to provide you with sizing and pricing for our 1500 series TRITAN™ belt filter press dewatering system for Discovery Bay, CA. The proposal contains a summary of the TRITAN™ features, utility requirements, layout drawings and literature.

The TRITAN™ system is a complete dewatering system including belt press, sludge pumping system, polymer conditioning system, wash booster pump, air compressor, and all controls.

Aero-Mod also offers a complete dewatered cake discharge system as an adder item. If selected, this system will be fully integrated into the overall BFP system with interfacing hopper and controls.

The maximum operating conditions for the proposed press is projected to be:

<u>Model</u>	<u>Maximum Pumping Rate</u>	<u>Dry Solids/hour</u>
1500 Series	180-200 gpm @ 1% solids	900-1000 lbs/hour

The footprint requirements for the press proposed as well as the sludge pump and polymer feed system are shown on the attached drawing. Note the control panel for the press is factory wired and installed on the press. The wash water pump is factory installed on the press. The sludge pump and static mixer system have their panels included and factory installed.

<u>HP requirements include:</u>	<u>1500 Series</u>
Rotary Drum Thickener -	1.0 HP each (total of two thickeners)
Belt Press Drive -	0.3 HP
Wash water Pump -	4 HP
Sludge Pump (VFD Controlled) -	7.5 HP
Cake Pump	7.5 HP
Air Compressor	5.0 HP
Polymer Dosing Pump	0.5 HP

Polymer Dosage – Normally, we see around 2-3 gallons of liquid polymer per ton of dry solids.
Aero-Mod, Inc.

7927 U.S. Highway 24, Manhattan, KS 66502 • Phone (785) 537-4995 • Fax (785) 537-0813
www.aeromod.com • Email: aeromod@aeromod.com

Expected solids concentration is between 15-18% solids. Final performance is dependent upon the proper polymer dosage and type. Aero-Mod will work with the treatment plant operators to determine the best polymer for the aerobic sludge from the plant.

Normal operation requires minimal operator attention once the polymer feed system is properly set for the concentration of incoming sludge at a constant sludge feed pumping rate. Shutdown washing at the end of the run is automated by simply engaging the shutdown cycle.

The TRITAN™ Belt Filter Press dewateres sludge produced in wastewater and industrial treatment facilities. Excellent dewatering is achieved by this two belt system, while throughput and dry cake performance match or exceed other belt presses of similar width.

The TRITAN™ Belt Filter Press system is composed of three distinct dewatering zones: the rotary pre-thickener, the gravity incline zone, and the pressing zone. The rotary pre-thickener performs the initial solid/liquid separation by utilizing an Archimedean screw filter drum to convey the sludge while allowing free water to drain through a polyester filter cloth. This pre-thickened sludge is then gravity fed to the low pressure gravity draining zone of the belt filter press where the sludge is spread out and allowed to drain on the travelling belt filter cloth. The low pressure zone has a 7° incline and conveys the sludge to the press zone. The press zone is where the travelling belt and a second belt-covered perforated cylinder squeeze the sludge for final dewatering. The sludge is pressed in this zone for over a minute using two very strong pressing forces to obtain a cake with high solids concentrations. In other words, the TRITAN™ performs as a three-belt system with only one belt requiring tracking.

Advantages of TRITAN

1. SS fabrication with SS enclosures for operator safety
2. Only five rollers w/ bearings and three (3) drives to maintain
3. Seamless belt for smooth, long life operation
4. Single filtrate discharge which requires no special concrete curbing or pit for installation of the Belt Press
5. three belt performance with only one belt requiring tracking

Electrical and Accessory Requirements

The following information is a summary of the requirements needed for installation and operation of the TRITAN™ Belt Filter Press, the Sludge Pump System and the Liquid Polymer Feed System.

Electrical

- The power required to operate the TRITAN™ Belt Filter Press is 230/460 V, 3 phase, 30 A service.
- The Sludge Pump System requires an additional 230/460 V, 3 phase, 30 A service.
- The compressor requires 230/460 V, 3 phase, 30 A service.
- The Polymer Conditioning System requires 120 V, 1 phase, duplex outlet 20 A service.

Electrical for Adder Equipment

- The cake pumping system requires 230/460 V, 3 phase, 30 amp service

Water

- A 1.5" N.P.T. connection with a minimum of 55 g.p.m. at 50 p.s.i is required. (Actual belt press wash water consumption during operation is 40.25 gpm)
- The Liquid Polymer Feed System has a 1" connection with a minimum of 5-10 g.p.m. and 40 p.s.i. required. A union must be installed for the connection and disconnection of the unit.
- A hose bib is recommended for cleaning the TRITAN™ Belt Filter Press.

Drain

- An 8" drain is recommended for filtrate removal from the belt filter press area.

Sink

- It is recommended a sink for hand washing be provided.

Start-Up Services

Start-up service must be scheduled one month prior to actual start-up to allow for Aero-mod technician scheduling.

Equipment Pricing

- One (1) TRITAN™ 1500 Series belt filter press with an enclosed stainless steel rotary pre-thickener system
- One (1) Liquid feed polymer system.
- One (1) Sludge pump system, consisting of:
 - One (1) Sludge pump w/ VFD controls and
 - One (1) Static mixer
- One (1) TRITAN™ NEMA 4X control panel
- One (1) Pumping system unit, NEMA 4X control panel
- One (1) Polymer system NEMA 4X control panel
- Start-up services – One Trip – Maximum of 2 days
- Shipping FOB jobsite included

Pricing & Terms

Aero-Mod will supply the aforementioned equipment, controls, and services for the lump sum of **\$192,500**. If retainage is held on this amount, balance will be due within 30 days of invoice following a successful startup. If payment is not received in this time period, warranty will be considered null & void until full payment is received. Please see enclosed General Terms and Conditions for this quotation.

Submittals shall be delivered to contractor within 6 weeks of Aero-Mod receipt of purchase order. Equipment shall be delivered to jobsite within 12-14 weeks of Aero-Mod receipt of approved submittal drawings. If the contractor is not ready to install the equipment in the

tankage and/or building, then the contractor shall take delivery and provide proper storage of equipment until they are ready to install. If the contractor cannot provide proper storage, Aero-Mod reserves the right to store equipment on Aero-Mod property and invoice as if equipment has been delivered to jobsite. Aero-Mod will provide proof of completed work and will insure equipment until time of delivery to jobsite.

*Please Note: Above prices are good for 30 days. Shipment is normally 12-14 weeks after approved submittals.

*Installation, interconnections (wiring or piping), spare parts, additional site visits, standard product upgrades or other items not listed in the above scope of supply are not included in the above pricing.

Adder Equipment (for cake discharge)

One (1) Cake pumping system w/ NEMA 4X Control Panel.

*Price, FOB, Job Site

\$30,000

As part of our services, we will work closely with you and your staff to determine how best to fit our equipment into an existing building or onto an existing pad. Any information available concerning the area you want to install the belt press will allow us to help you with the physical layout of the equipment.

Ordering of this equipment can be executed by signing this agreement or issuing a purchase order referencing this document.

Accepted by:

(Name)

(Title)

(Date)

Please call if you have any questions.

Sincerely,

Jeff Smith
Dewatering Sales Manager, Aero-Mod, Inc.

Terms and Conditions of Aero-Mod, Inc. ("Seller")

1. **Pricing Policies.** All prices are good until December 31st, 2011. After that time, all prices are subject to change without notice and shall not be binding on Seller until reduced to writing and signed by Seller. All orders are subject to written acceptance and approval by an authorized representative of Seller. All prices are F.O.B. to the job site. Prices quoted include standard packing according to Seller's specifications. All costs and taxes for special packing requested by Purchaser, including packing for exports, shall be paid by Purchaser as an additional charge.

2. **Taxes.** The price for the goods does not include any applicable sales, use, excise, GST, VAT, or similar tax. The purchaser shall have the responsibility for the payment of such taxes if applicable.

3. **Payment Terms.** Unless different payment terms are expressly set forth elsewhere in this offer or agreed to in writing by Seller in any confirmation of sale, goods will be invoiced upon shipment or, in the case of goods to be installed by Seller, upon completion of installation. Payment in full, less 10% retainage when applicable, is due within thirty (30) days from the invoice date. If retainage is withheld, then the remaining balance is due in full within thirty (30) days from the invoice date following successful start-up of supplied equipment. In the event payment is not made when due, Purchaser agrees to pay Seller a service or finance charge of one and one-half percent (1.5%) per month (18% per annum) on the unpaid balance of the invoice from and after the invoice due date. Purchaser is responsible for all costs and expenses associated with any checks returned due to insufficient funds. All credit sales are subject to prior approval of Seller's credit department.

4. **Effect of Purchaser's Financial Condition.** If, during the performance of the contract with Purchaser, the financial responsibility or condition of Purchaser is such that Seller in good faith deems itself insecure, or if Purchaser becomes insolvent, or if a material change in the ownership of the Purchaser occurs, or if Purchaser fails to make any payments in accordance with the terms of its contract with Seller, then, in any such event, Seller is not obligated to continue performance under the contract and may stop goods in transit and defer or decline to make delivery of goods, except upon receipt of satisfactory security or cash payments in advance, or Seller may terminate the order without further obligation to Purchaser whatsoever. If the Purchaser fails to make payments or fails to furnish security satisfactory to Seller then Seller shall also have the right to enforce payment to the full contract price of the work completed and in process. Upon default by Purchaser in payment when due, Purchaser shall immediately pay to Seller the entire unpaid amounts for any and all shipments made to Purchaser irrespective of the terms of said shipment and whether said shipments are made pursuant to this proposal or any other contract of sale between Seller and Purchaser, and Seller may withhold all subsequent shipments until the full amount is settled. Acceptance by the Seller of less than full payment shall not be a waiver of any of its rights hereunder.

5. **Risk of Loss, Title.** The risk of loss of the goods shall pass to the Purchaser as soon as they are deposited with the carrier for shipment to the Purchaser, but title to the goods shall remain in the Seller until the full purchase price therefor has been paid, unless otherwise agreed by Seller.

6. **Shipment.** Any stated shipment or delivery dates are approximate only and are contingent upon purchaser's prompt acceptance of Seller's offer. Seller will use every reasonable effort to meet estimated shipment or delivery dates. Seller's obligation with respect to shipment of the goods shall not extend beyond a) putting the goods in the possession of a suitable carrier and making a contract for the transportation thereof as may be reasonable, having due regard for the nature of the goods and b) delivering, within a reasonable time, such documents as may be necessary for Purchaser to obtain possession of the goods. Seller shall have the right to ship all of the goods at one time or in portions from time to time within the shipment period. This contract shall be deemed separable as to the goods sold. Purchaser may not refuse to accept any lot or portion of the goods shipped hereunder on the grounds that there has been a failure to ship any other lot or that goods in any other lot were nonconforming. Any such default by Seller will not substantially impair the value of this contract as a whole and will not constitute a breach of the contract as a whole.

7. **Testing, Inspection, and Acceptance.** Purchaser shall have the right to inspect the goods upon their receipt. Purchaser's failure to inspect the goods or failure to notify the Seller in writing that the goods are nonconforming within ten (10) days of their receipt, shall constitute a waiver of Purchaser's right to inspect and/or reject the goods for nonconformity and shall be equivalent to an irrevocable acceptance of the goods by Purchaser.

8. **Seller's Performance.** Seller shall not be responsible or liable for any delay directly or indirectly resulting from or contributed by limitations on Seller's production capabilities beyond its reasonable control, or to delays due to fires, explosions, acts of God, strikes or other differences with workers, shortage of utility, facility, components or labor, delay in transportation, breakdown or accident, war and acts of war, compliance with or

actions taken to carry out the intent or purposes of any law or regulation, changes in goods or materials, or any other causes or contingencies not caused by Seller or over which Seller had no reasonable control. In the event that any one or more deliveries hereunder is suspended or delayed by reason of any one or more of the occurrences or contingencies stated above, any and all deliveries so suspended or delayed shall be made after such occurrences or contingencies have ceased to exist, and nothing herein contained shall be construed in any way as lessening the full amount of goods herein being purchased and sold, but only as deferring delivery and payment on the event(s) and to the extent herein provided for. Neither shall any delay in shipment be considered as a default under this contract nor give rise to any liability on the part of Seller for any incidental, special or consequential damage.

9. **Statement of Limited Warranty; Disclaimer and Limitation of Remedies.** Seller warrants that the goods purchased hereunder (with the exception of membranes, seals, gaskets, elastomer materials, coatings and "wear parts" all of which are not warranted) will be built in accordance with the specifications referred to in this quotation of confirmation of sale, as the case may be, and will be free from defects in material and workmanship for a period of one (1) year from the date of installation or eighteen (18) months from the date of shipment, whichever shall occur first. Seller warrants the clarifier equipment purchased hereunder will be free from defects in material and workmanship for a period of five (5) years from the date of installation or five and one-half (5 ½) years from the date of shipment, whichever shall occur first. In no event shall Seller be liable for any loss, damage, injury or expense, resulting from the use or operation of, or from the erosion or corrosion of the goods or from ordinary wear and tear of the goods unless otherwise agreed in writing. Parts or products manufactured by others and provided by Seller are warranted only to the extent of the manufacturer's original warranty. Seller makes no independent warranty or representation with respect to these products.

Purchaser must give written notice to Seller of any defects in material or workmanship of warranted goods within ten (10) days of the date when any defects are first manifest. **UPON SUCH NOTICE, THE SOLE RESPONSIBILITY OF SELLER UNDER THIS LIMITED WARRANTY SHALL BE TO REPAIR OR REPLACE, AT ITS OPTION, A DEFECT IN THE MATERIAL OR WORKMANSHIP DURING THE WARRANTY PERIOD. ALL LABOR REQUIRED TO MAKE SUCH REPAIRS OR REPLACEMENT SHALL BE MADE BY PURCHASER AND AT PURCHASER'S EXPENSE UNLESS OTHERWISE AGREED IN WRITING.**

This limited warranty is void unless the installation, operation and maintenance of the goods are done in accordance with the Seller's instructions. Further, Seller's warranty is void if Purchaser makes any repairs to the goods without Seller's prior written authorization.

THE FOREGOING WARRANTY IS EXCLUSIVE AND IN LIEU OF ALL OTHER EXPRESS OR IMPLIED WARRANTIES, GUARANTIES, AGREEMENTS, CONDITIONS OR REPRESENTATIONS MADE BY ANY PERSON WITH RESPECT TO THE GOODS COVERED BY THIS OFFER, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE WHICH ARE HEREBY SPECIFICALLY DISCLAIMED. IN NO CASE WILL SELLER BE LIABLE FOR ANY DIRECT, INDIRECT, SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES RESULTING FROM A BREACH OF WARRANTY OR ANY OTHER CAUSE INCLUDING, BUT NOT LIMITED TO, LOSS OF USE OF THE PRODUCT, LOSS OF TIME, INCONVENIENCE, INJURY, LOSS OR DAMAGE TO PERSON OR PROPERTY, COMMERCIAL LOSS, LOSS OF PROFITS, LIABILITIES OF PURCHASER TO ITS CUSTOMERS OR THIRD PERSONS OR OTHER MATTERS NOT SPECIFICALLY STATED, WHETHER BASED ON CONTRACT, TORT OR ANY OTHER LEGAL THEORY.

It is specifically agreed that any action for breach of warranty or other action against Seller under this contract shall be commenced within one (1) year and one (1) day after such cause of action accrued.

10. **Installation and Start-up.** Unless otherwise agreed to in writing by Seller, installation shall be the sole responsibility of Purchaser. Where start-up service is required with respect to the goods purchased hereunder, it must be performed by Seller's authorized personnel or agents, otherwise, Seller's limited warranty is void. In the event Purchaser has engaged Seller to provide an engineer for start-up supervision, such engineer will function in supervisory capacity only and Seller shall have no responsibility for the quality of workmanship of the installation. In any event, Purchaser understands and agrees that it shall furnish, at Purchaser's expense, all necessary foundations, supplies, labor and facilities which might be required to install and operate the equipment.

11. **Cancellation.** No order may be canceled unless requested in writing by either party and accepted in writing by the other. In the event of a cancellation by Purchaser, Purchaser shall, within thirty days of such cancellation, pay Seller a cancellation fee which shall include all costs and expenses incurred by Seller prior to the

receipt of the request for cancellation including, but not limited to, all commitments to its suppliers, subcontractors and others, all labor and overhead expended by Seller in the preparation of the Equipment prior to the cancellation, plus an amount equal to 15% of the aggregate of all the foregoing.

12. **Specifications.** Changes in specifications requested by Purchaser are subject to approval in writing by Seller. In the event such changes are approved, the price for the goods and the delivery schedule shall be changed to reflect such changes.

13. **Drawings.** All drawings are the property of Seller. Seller does not supply detailed or shop working drawings of the goods; however, Seller will supply necessary installation drawings. The drawings and bulletin illustrations submitted with Seller's quotation show general type, arrangement and approximate dimensions of the goods to be furnished. Seller reserves the right to alter such details in design or arrangement of its goods which, in its judgment, constitute an improvement in construction, application or operation. All engineering information necessary for installation of the goods shall be forwarded by Seller to Purchaser upon written acceptance of Seller's quotation. After acceptance of the quotation, any changes in the type of goods, the arrangement of the goods, or application of the goods requested by Purchaser will be made at Purchaser's expense. A parts list and general assembly and installation instructions necessary for erection and maintenance will be supplied when the goods are shipped.

14. **Patents.** The goods being provided by Seller may be covered by patents pending or issued. Seller grants Purchaser a license and the right to use these goods without further charge. Seller does not grant Purchaser the right to use the goods, or protection against patent infringement claims arising from use of the goods, in any patented processes controlled by others, unless specifically set forth in this quotation.

15. **Assignment.** No right or interest in this contract shall be assigned by Purchaser without the prior written permission and consent of Seller.

16. **Indemnification.** Purchaser hereby agrees to indemnify and save Seller, its directors, officers and employees, harmless from all loss, liability, damages, costs and expenses (including attorney's fees and other expenses of litigation), resulting from any claim or action for personal injury or death or damage to or loss of property or violation of or failure to comply with any applicable law, regulation, rule or order arising from the use by Purchaser, its employees, agents, customers, invitees or by other third parties of the goods and services to be provided under this contract. Purchaser, at its expense, shall defend any such claim or suit against Seller and/or its directors, officers and employees and shall pay any judgment resulting therefrom. Seller shall have the right, but not the duty, to participate in the defense of any such claim or suit with attorneys of its own selection without relieving Purchaser of any of its obligations hereunder. This indemnity shall survive delivery of the goods or performance of the services under this contract.

17. **Entire Agreement.** The terms and conditions contained herein and in any accompanying quotation or proposal of Seller, shall constitute the entire and complete agreement between Seller and Purchaser and shall supersede all prior oral or written statements or understandings of any kind of whatsoever made by the parties or their representatives. No modifications or additions to these terms and conditions shall be binding on Seller unless specifically agreed to in writing and signed by an authorized representative of Seller. Further, no oral or written statement made subsequent to the acceptance of Purchaser's order by Seller which purports to modify in any way these terms and conditions shall be binding upon Seller unless such statement is clearly adopted and agreed to in writing by a duly authorized representative of Seller.

18. **Limited Authority of Sales Agents.** The sales agents and representatives of Seller have no authority to enter into agreements, contracts or understandings, or to bind or incur any liability or obligation on behalf of Seller. Orders and contract proposals taken by the sales agents and representatives of Seller are subject to written approval by an authorized representative of Seller.

19. **Interpretation of Contract.** This offer and any related confirmation or contract of sale shall be governed by and construed in accordance with the laws of the State of Kansas and is intended also as a complete and exclusive statement of the terms of the contract. No prior course of dealing between the parties and no usage of the trade shall be relevant to supplement or explain any term used in this contract. Acceptance or acquiescence in a course of performance rendered under this contract shall not be relevant to determine the meaning of this contract even though the accepting or acquiescing party has knowledge of the nature of the performance and opportunity for objection. Waiver by Seller of a breach by Purchaser of any provision of this contract shall not be deemed a waiver of future compliance therewith, and such provision shall remain in full force and effect. If any portion of these terms and conditions is deemed invalid by a court having jurisdiction over the parties, the remaining provisions shall remain

fully effective. Any term used in this contract which is not defined herein shall have the same definition as that contained in the State of Kansas Uniform Commercial Code.



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

November 16, 2011

Prepared By: Dina Breitstein, Finance Manager
Submitted By: Rick Howard, General Manager *RH*

Agenda Title

Adopt Resolution 2011-23 Establishing a Town of Discovery Bay CSD Developer Deposit Holding Fund

Recommended Action

That the Board authorize the creation of a Developer Deposit Holding Fund and Adopt Resolution 2011-23 establishing a Town of Discovery Bay CSD (TODBCSD) Deposit Holding Fund.

Executive Summary

In public sector accounting, the primary purpose of a Deposit Holding Fund is to separate the moneys deposited to the District from other funds moneys. By creating a Developer Deposit Holding Fund TODBCSD provides a depository for funds received in trust for a specific purpose. The Developer Deposit Holding Fund is a restricted account and serves only the purpose of holding moneys tendered to TODBCSD by developers and businesses. This account will not be utilized for day to day expenses.

The creation of a Developer Deposit Holding Fund is necessary when developers and businesses deposit funds to TODBCSD to hold as a deposit for developer and business projects. Funds from these deposits need a place to be "parked", and the establishment of a Deposit Holding Fund is an appropriate accounting method for these moneys currently and for future developer and business projects.

Staff recommends the establishment of a Deposit Holding Fund at this time.

Total Deposit Funds currently in the TODBCSD Account: \$8,397.96

Pantages at Discovery Bay, LLC. Development Project \$7,397.96, deposit.
Storrer, Phillip and Karla – Development Project \$1,000, deposit.

The TODBCSD entered into a reimbursement agreement with Pantages at Discovery Bay, LLC and with Storrer, Phillip and Karla that states: any expenses the TODBCSD will incur during the course of the projects such as; staff, engineering, legal, consulting, administrative and other expenses in evaluating, reviewing and processing project plans, designs, specifications and other documents and data, and in processing and preparing any permits or agreements deemed necessary for the project the TODBCSD will be reimbursed for such costs under the terms and conditions of the agreement.

Fiscal Impact:

Amount Requested \$0

Sufficient Budgeted Funds Available?: (If no, see attached fiscal analysis)

Prog/Fund # Category:

Previous Relevant Board Actions for This Item

Attachments

Resolution 2011-23 authorizing the establishment of a Deposit Holding Fund.

AGENDA ITEM: F-3



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2011-23**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT
ESTABLISHING A TOWN OF DISCOVERY BAY CSD (TODBCSD)
DEVELOPER DEPOSIT HOLDING FUND GENERAL LEDGER ACCOUNT**

WHEREAS, Town of Discovery Bay Community Services District (TODBCSD) provides a holding place for deposited funds for current and future developer and business projects; and

WHEREAS, the funds deposited to the TODBCSD for developer and business projects, are tendered to TODBCSD in trust and shall be restricted funds and can only be expended in their restricted enterprise; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the Board of Directors of the TODBCSD authorize the establishment of a Developer Deposit Holding Fund for purposes of holding deposits received in trust from developers and business.

SECTION 2. The Board Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 16th DAY OF NOVEMBER 2011.

J. Kevin Graves
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on November 16, 2011 by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Richard J. Howard
Board Secretary



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

November 16, 2011

Prepared By: Rick Howard, General Manager
Submitted By: Rick Howard, General Manager *rh*

Agenda Title

Request for comment for a home based business at 1669 Willow Lake Road

Recommended Action

Review applicants' submittal to the Contra Costa County Department of Conservation and Development and comment as necessary (LP11-2081).

Executive Summary

The homeowner at 1669 Willow Lake Road has applied for a home based business license to operate a wholesale vehicle sales business. This is an individual proprietor and no vehicles or foot traffic will be onsite. One of the County's conditions of approval is that there would be no storing or leaving vehicles at this location. It will primarily be utilized as an office to effectuate paperwork and legal requirements associated with the business.

Fiscal Impact:

Amount Requested \$N/A

Sufficient Budgeted Funds Available?: (If no, see attached fiscal analysis)

Prog/Fund # Category: Pers. Optg. Cap. -or- CIP# Fund#

Previous Relevant Board Actions for This Item

N/A

Attachments

Costa County Department of Conservation and Development Agency Comment Request

AGENDA ITEM: F-4

CONTRA COSTA COUNTY
 DEPARTMENT OF CONSERVATION AND DEVELOPMENT
 COMMUNITY DEVELOPMENT DIVISION
 651 Pine Street, 4th Floor, North Wing
 Martinez, CA 94553-0095
 Phone: 925-335-1210
 Fax: 925-335-1222



SEM
 10-31-11
 (3)

Town Of Discovery Bay CSD
 Received
 NOV 01 2011

AGENCY COMMENT REQUEST

Date _____

We request your comments regarding the attached application currently under review.

DISTRIBUTION

Building Inspection ___ Grading Inspection

HSD, Environmental Health, Concord

___ HSD, Hazardous Materials

___ PW - Flood Control (Full Size)

___ PW - Engineering Svcs (Full Size)

Date Forwarded _____

___ PW Traffic (Reduced)

___ PW Special Districts (Reduced)

___ PW—APC Floodplain Tech (2nd Floor)

___ Advance Planning

___ Redevelopment Agency/Housing

___ Historical Resources Information System

___ CA Native American Heritage Comm.

___ CA Fish & Game, Region # _____

___ U.S. Fish & Wildlife Service

___ Fire District _____

___ Sanitary District _____

___ Water District _____

___ City of _____

___ School District _____

___ East Bay Regional Park District

___ MAC/TAC _____

Discovery Bay CSD

___ DOIT - Deputy Director, Communications

___ CDD-GIS

___ LAFCO

___ East CCC Habitat Conservancy (HCP/NCCP)

___ County Geologist

___ Airport Land Use Commission Staff (ALUC)

Community Organizations:

Please submit your comments as follows:

Project Planner: Siman Gill

Phone # (925) 335-1244

E-mail Siman Gill @dcd.cccounty.us

County File # DP11-2081

Prior to November 25, 2011

We have found the following special programs apply to this application:

Redevelopment Area

Active Fault Zone

Flood Hazard Area, Panel # _____

60 dBA Noise Control

CA EPA Hazardous Waste Site

Mineral Rights Holder:

AGENCY: Please indicate the code section of recommendations required by law or ordinance. Send copies of your response to the Applicant & Owner.

Comments: ___ None ___ Below ___ Attached

Print Name _____

Signature _____ DATE _____

Agency phone # _____



CONTRA COSTA COUNTY
 Department of Conservation & Development
 Community Development Division

HOME OCCUPATION USE PERMIT APPLICATION

TO BE COMPLETED BY OWNER/APPLICANT

OWNER Name <u>BOB Kirkpatrick</u>	APPLICANT Name <u>Kevin Kirkpatrick / John Perke</u>
Address <u>1688 Willow Lake RD</u>	Address <u>1669 Willow Lake RD</u>
City, State/Zip <u>Discovery Bay CA</u>	City, State/Zip <u>Discovery Bay CA 94503</u>
Phone <u>925-437-2444</u>	Phone <u>925-437-8876</u> email

By signing below, owner agrees to pay all costs, including any accrued interest, if the applicant does not pay costs. <input type="checkbox"/> Check here if billings are to be sent to applicant rather than owner. Owner's Signature <u>Robert Kirkpatrick</u>	By signing below, applicant agrees to pay all costs for processing this application plus any accrued interest if the costs are not paid within 30 days of invoicing. Applicant's Signature <u>Kevin Kirkpatrick</u>
--	--

CONTACT PERSON (optional)

Name _____
 Address _____
 City, State/Zip _____
 Phone _____ email _____

Nature of business (attach supplemental statement if necessary):
Whole Sale Auto dealer

FOR OFFICE USE ONLY

Application description: APPLICANT'S REQUEST APPROVAL FOR HOME BUSINESS OPERATION IN A RESIDENCE TO CONDUCT WHOLESALE VEHICLE SALES

Property description: LOT 73 of TRACT 4207

Please submit: (a) three (3) sets of a complete site plan including a floor plan indicating the area where the business will be conducted (8½" X 11"); (b) "Important Notice to Applicants" form signed and dated

Assessor's #	TYPE OF FEE	FEE	CODE
<u>004-302-016</u>	Zoning District: <u>F-1</u>	*Base Fee/Deposit	\$300.00 S-026
	Census Tract: <u>3040.00</u>	Late Filing Penalty (+50% of above if applicable)	## S-066A
	Atlas Page: <u>N-29</u>	Notification Fee = # Addresses X \$1.50 + \$30.00	<u>30.00</u> S-052B
	General Plan: <u>SH</u>	Environmental Health Dept.	47.00 5884
	Supervisory District: <u>3</u>		
	Area: <u>DISCO BAY EAST</u>	TOTAL	<u>\$377.00</u>
	Fire District: <u>CO CO</u>	Receipt	<u>#0011-002166</u>

Received by: [Signature]
 Date Filed: 10-21-11

CEQA: Categorically Exempt

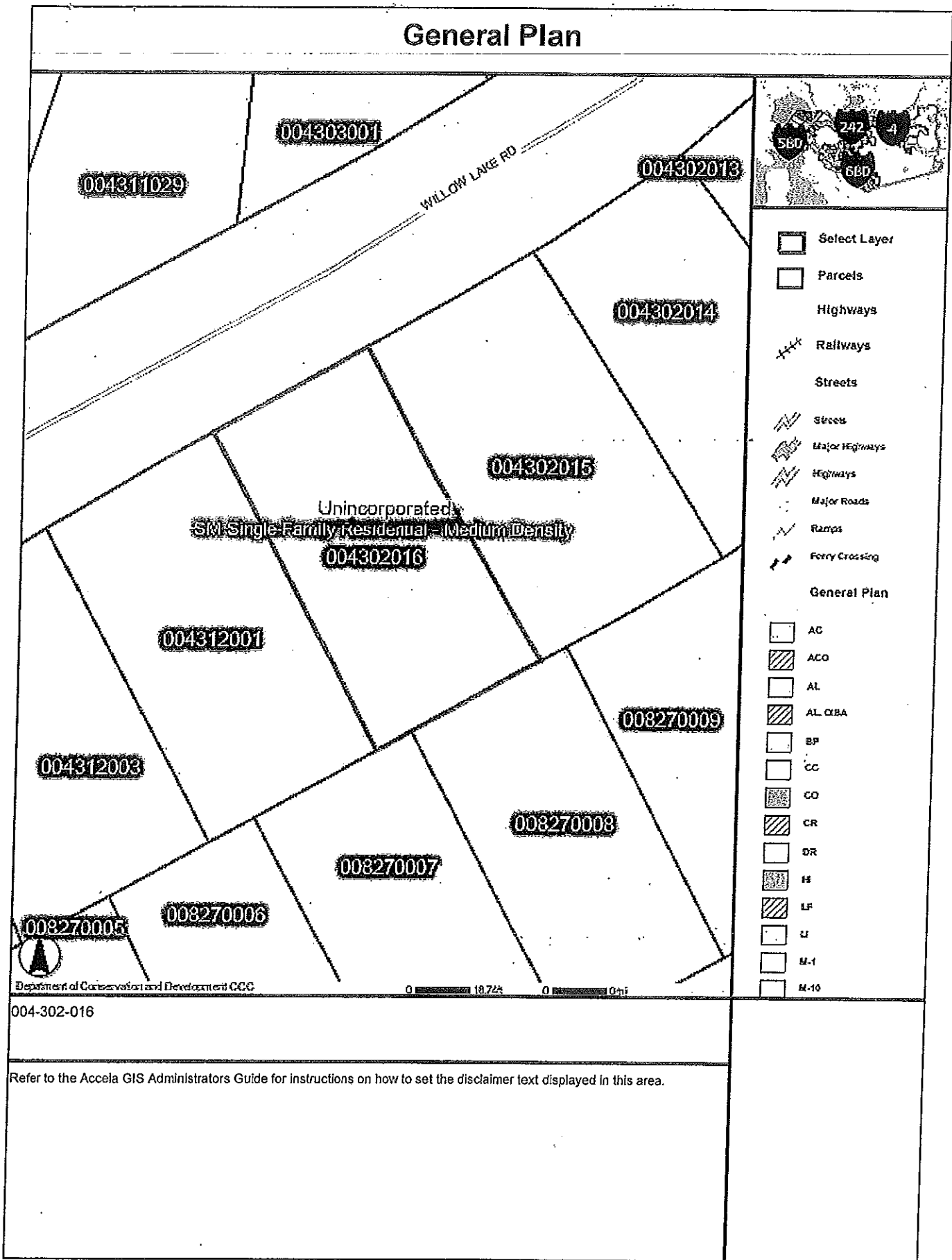
1(n) HOME OFFICE
 CLASS _____

*Additional fees based on time and materials will be charged if staff costs exceed base fee.

File # LP 11-2081

PLEASE COMPLETE REVERSE SIDE

General Plan



Unincorporated
SM Single Family Residential - Medium Density

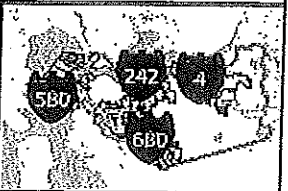
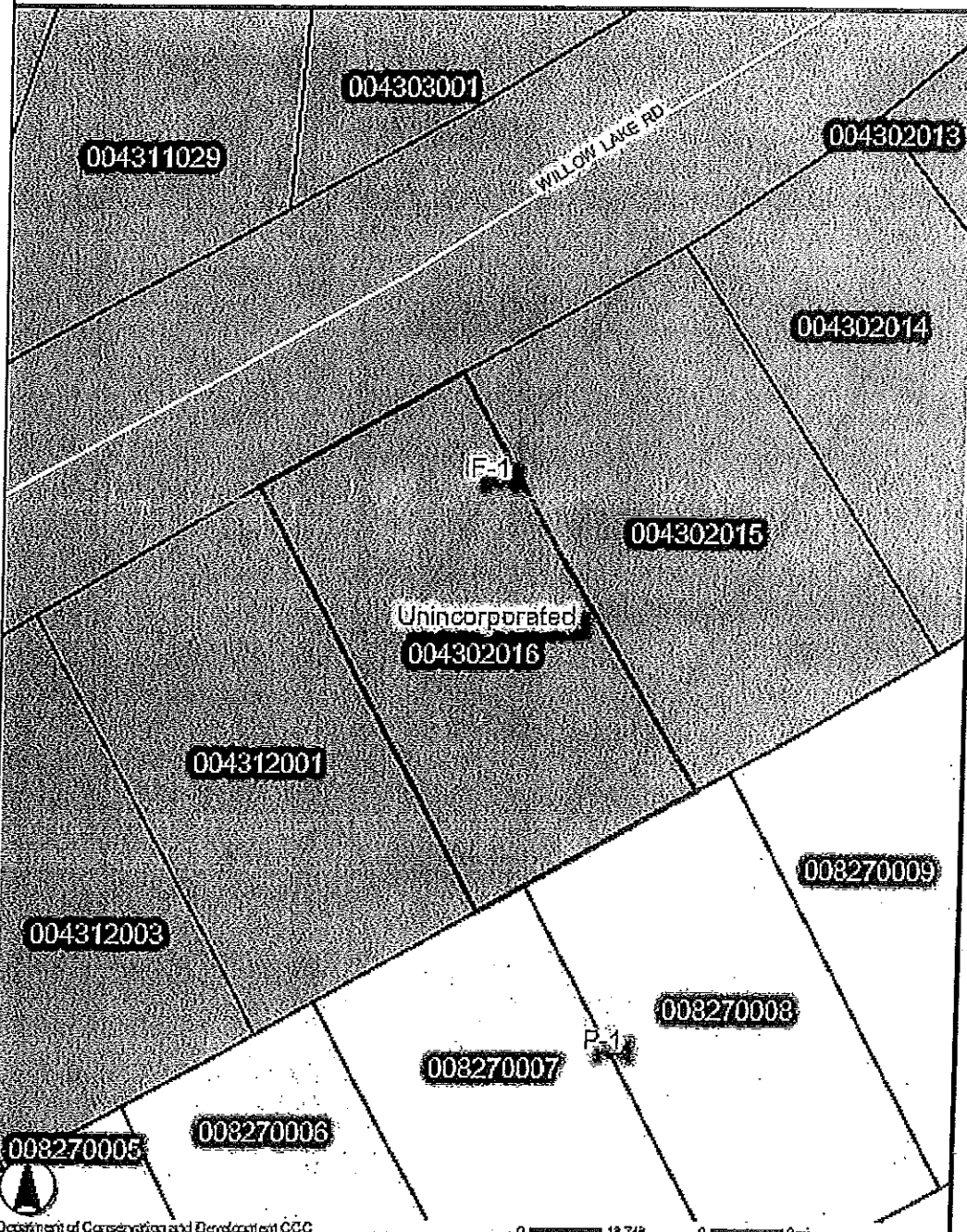
Department of Conservation and Development CCC

0 18.725 0 0mi

004-302-016

Refer to the Accela GIS Administrators Guide for instructions on how to set the disclaimer text displayed in this area.

Zoning



- Select Layer
- Parcels
- Highways
- +++ Railways
- Streets
- Streets
- Major Highways
- Highways
- Major Roads
- Ramps
- Ferry Crossing
- Zoning**
- U. X
- T-1. FH
- R-E. TOV X
- R-B. S-2
- R-B. FH
- R-7. X
- R-6. X
- R-6. TOV X
- R-40. FH
- P-N-B. S-2
- P-1. X
- P-1. TOV X
- P-1. FH
- O-1. TOV X

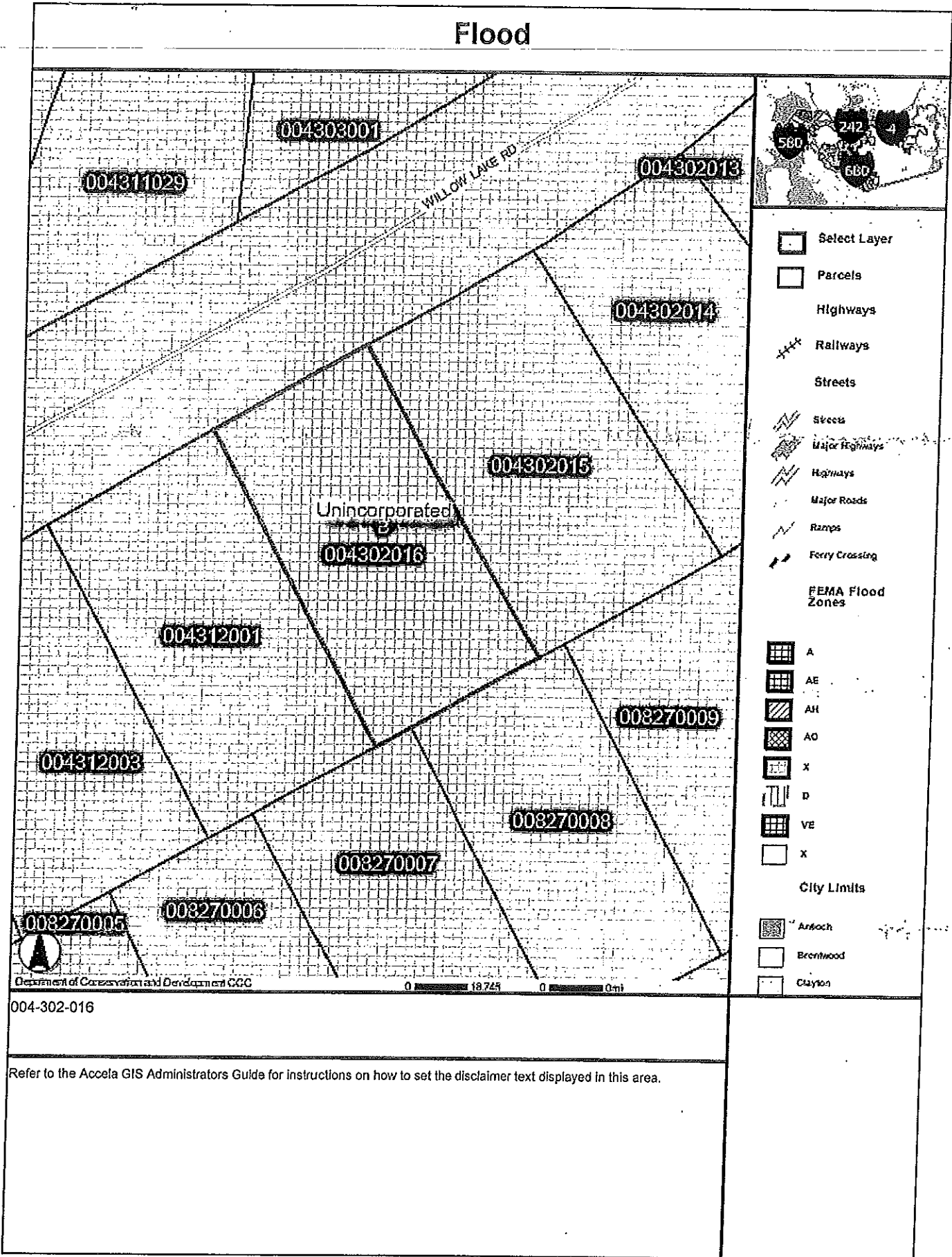
Department of Conservation and Development CCC

0 18.725 0 0 mi

004-302-016

Refer to the ArcGIS Administrators Guide for instructions on how to set the disclaimer text displayed in this area.

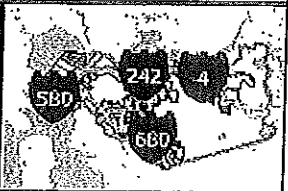
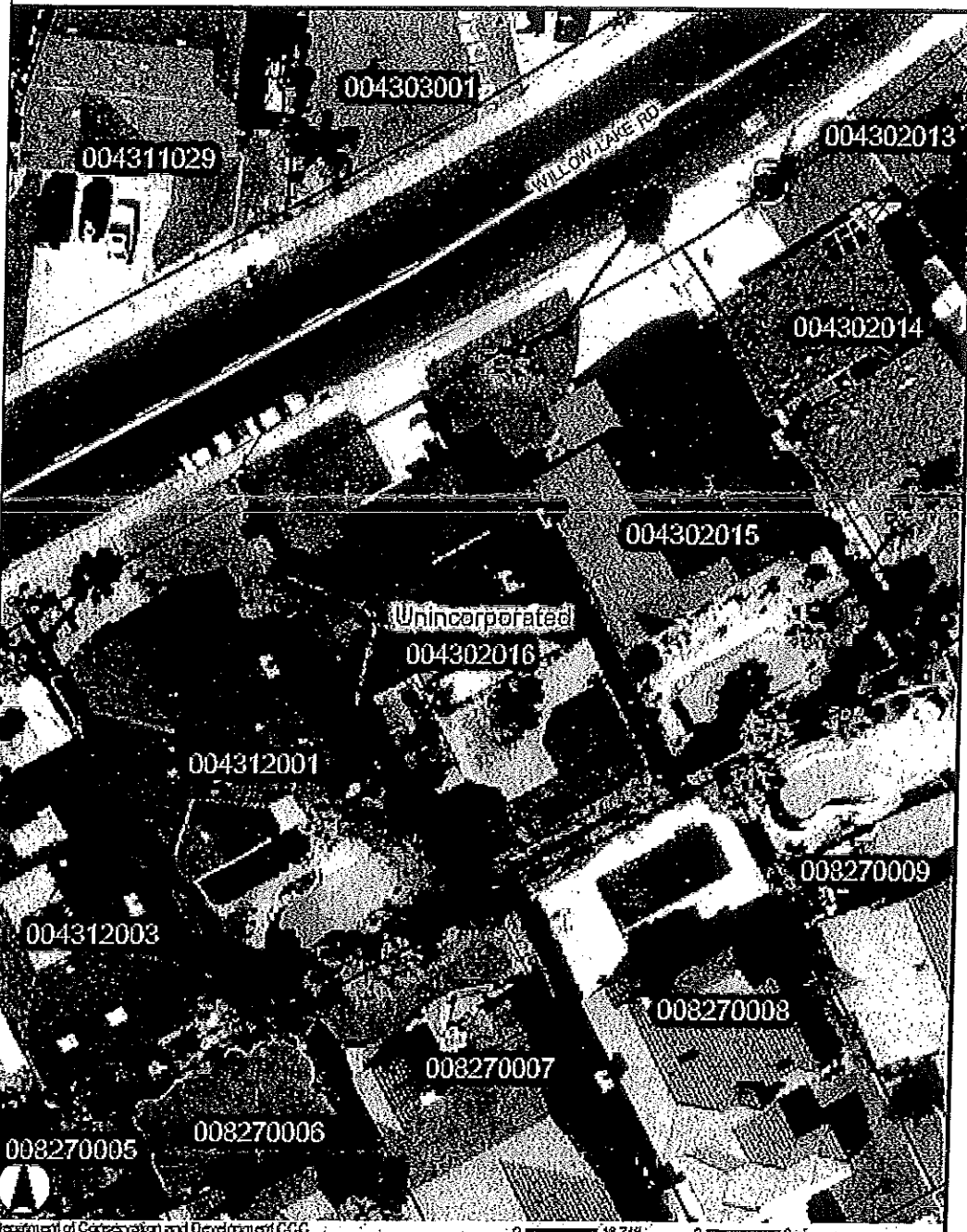
Flood



004-302-016

Refer to the ArcGIS Administrators Guide for instructions on how to set the disclaimer text displayed in this area.

Ortho



- Select Layer
- Parcels
- Highways
- Railways
- Streets
- Streets
- Major Highways
- Highways
- Major Roads
- Ramps
- Ferry Crossing
- City Limits
- Antioch
- Brentwood
- Clayton
- Concord
- Danville
- El Cerrito
- Hercules
- Lafayette
- Martinez
- Moraga
- Oakley
- Orinda
- Pinole

Department of Conservation and Development CCC

0 0.1875 0 0mi

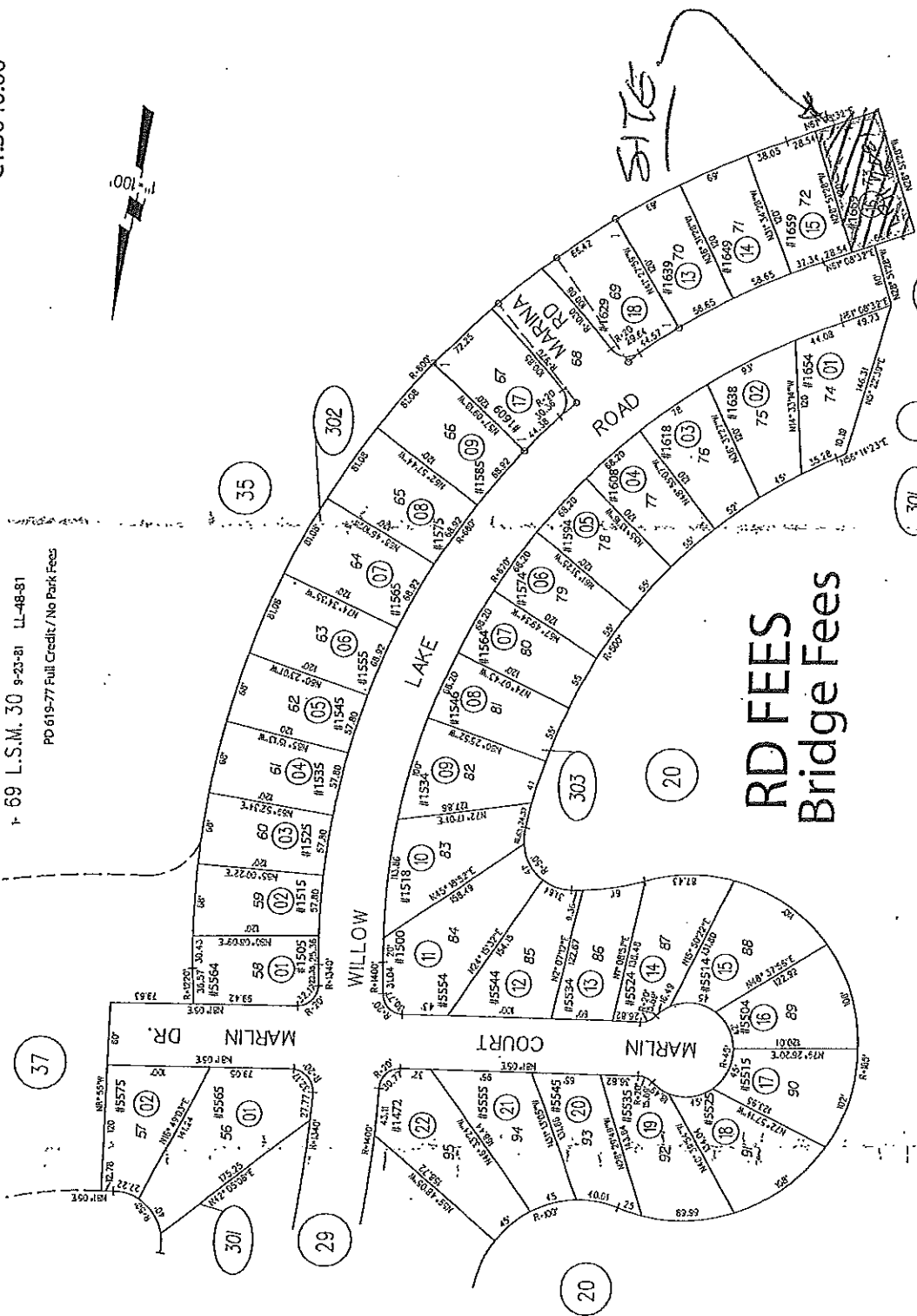
004-302-016

Refer to the Accela GIS Administrators Guide for instructions on how to set the disclaimer text displayed in this area.

CT.3040.00



1878 ROLL TRACT 4207 (DISCOVERY BAY) M.B. 197-41
1- 69 L.S.M. 30 9-23-81 LL-48-81
PD 615-77 Full Credit/No Park Fees



RD FEES Bridge Fees

- 301
- 302
- 303
- 31

ZM: N-29
FM 009-52
7-7-77 FM 009-22
ASSESSOR'S MAP
BOOK 04 PAGE 30
CONTRA COSTA COUNTY, CALIF.

NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES. THE COUNTY DEPARTMENT HAS ASSUMED RESPONSIBILITY FOR THE ACCURACY OF THE DELINEATED HEREON ASSESSOR'S PARCELS. THE COUNTY DEPARTMENT DOES NOT GUARANTEE THAT THE DELINEATED HEREON ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT SPLIT OR BUILDING SITE ORDINANCES.

07 JAN 11 6 AM 10:00

, 29

Deck

Deck

tree planter

Sun Room

House

120'

1021

(SITE)

EVALUATION & PERMIT CENTER

LPN-2287
MILINA COSTA
2011 OCT 21 PM 3:13

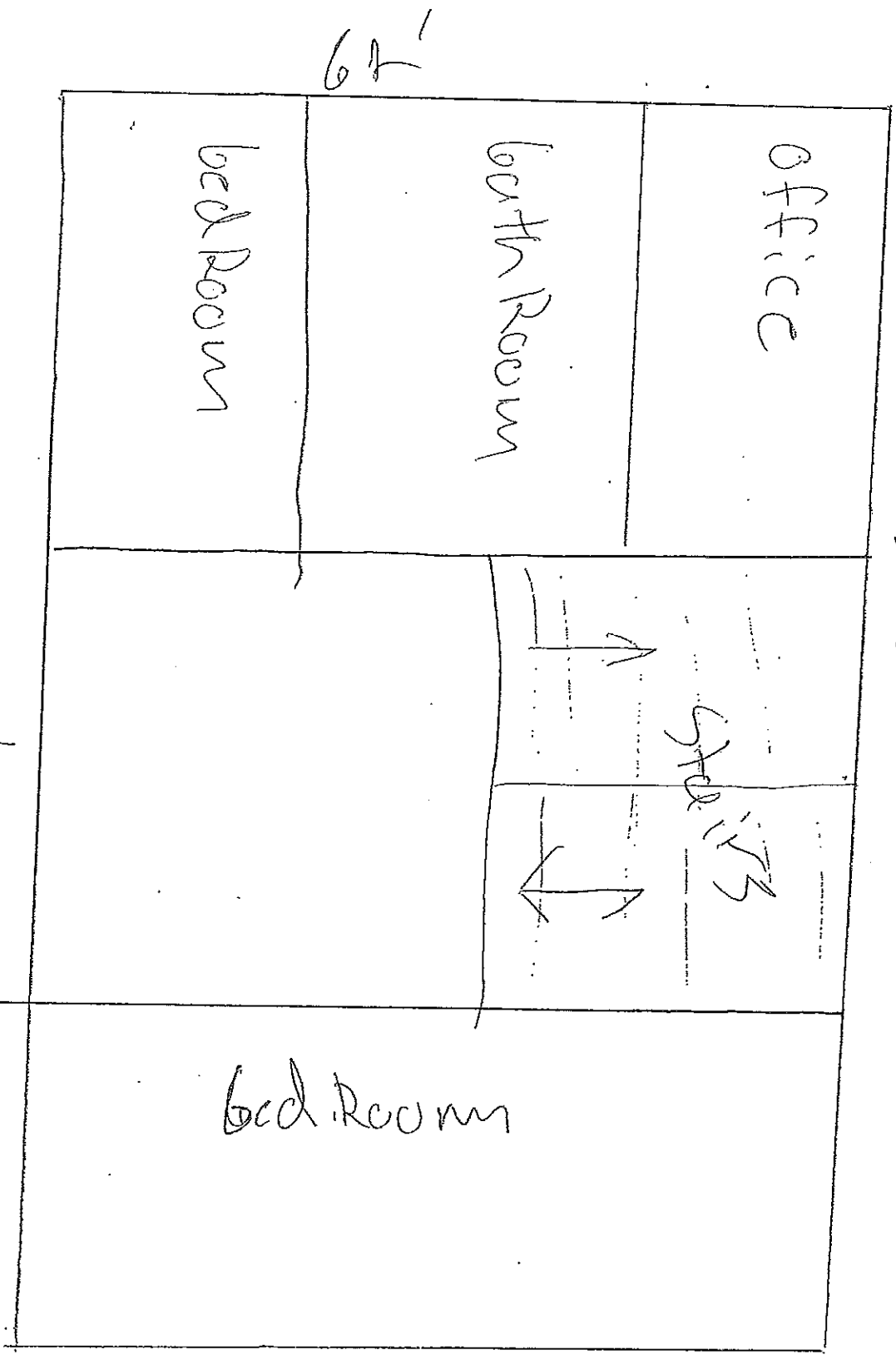
62'

Willow Lake Rd

~~1021~~

2nd level

120'



62'

Office

Bath Room

Bed Room

Stairs

Bed Room

120'

62'



MONTHLY OPERATIONS REPORT

October 2011

Town of Discovery Bay, CA

794

Days of Safe Operations

TRAINING:

Safety, Operations, & Equipment

Safety	Attended	Hours
Safe Driving in Inclement Weather Cold Stress Prevention Great California Shakeout	All Staff Members	2.0
Operation		
Webinar - Buddy System	All Staff Members	0.5
Laboratory Reporting	Lori Gabriel	16.0
Online Compliance Training	All Staff Members	3.0 (pp)

WATER SERVICE

- Troubleshoot valves on reclaim pump #1 at NPWTP
- Troubleshoot & repaired valve 5 on Filter "C" at WLWTP
- Finished installing sample ports on filters at WLWTP
- Swap VFD's at NPWTP send one out for repairs
- Work on locating air leaks at WLWTP
- Repaired air compressor at WLWTP
- Rebuild air solenoid at WLWTP
- Put Filter "C" at WLWTP back on line
- Started repairing leaking water hydrants at plant #2
- Troubleshoot booster #3 VFD at NDWTP
- Installed timer on compressor at NDWTP

Customer Inquiries:

1 Brown water calls

# of Active Wells	Gallons of Water Produced	Chemical Usage/Delivered	Fire Hydrant Flushing
5	99.20	2250	1



Bacteriological Test Results:

Routine Bacteria Samples Collected	No. Total Coliform Positives	No. Fecal/E. coli Positives
16	0	0

WASTEWATER SERVICE

- Installed new sump pump
- Order new valves for return line for clarifier #1 at Plant #1
- Replaced solenoid valves on odor control plant #1
- Repair safety cover on rotor #2
- Jet Rodded out sewer line in front of Discovery Bay Elem School
- Installed new cable on lagoon dredge
- Instilled new limit switch on lagoon dredge
- Installed transducer at L/S G
- Replaced valves on return line for clarifier #1 at Plant #1
- Replace pump at L/S G with spare
- Troubleshoot bubbler at L/S J
- Received 2011 Ford Ranger from Atwater Project

Customer Inquiries:

None

# of Active Lift Stations	# of Inactive Lift Stations	Chemical Usage Polymer-gals	SSO	Wastewater Received (MG)
15	0	53.9	0	43.32



Wastewater Laboratory Analysis

<i>WW Effluent Parameter</i>	<i>Permit Limits</i>	<i>August Lab Data</i>	<i>September Lab Data</i>
Flow, MG Effluent, monthly total		50.57	46.09
Flow, Daily Discharge Flow, avg.	2.1 MGD	1.69 MGD	1.54 MGD
Effluent BOD ₅ , lbs/d, monthly avg.	350	14	13
Effluent TSS, lbs/d, monthly avg.	525	226	183
Effluent BOD ₅ , mg/L, monthly avg.	20	<1.0	< 1
Effluent TSS, mg/L, monthly avg.	30	16.0	13
Total Coli form 7 day Median Max	23	3	3
Total Coli form Daily Maximum	240	8	13

October Laboratory Data unavailable

Maintenance:

Preventive and Corrective

Total # of WO's Completed	Total Hours
224	203.39

Call & Emergency Responses

Call Outs	Emergencies
12	0

Personnel Hours & Overtime:

Regular Hours	Overtime
1482	124.25

NO BACK UP
DOCUMENTATION
FOR THIS AGENDA
ITEM # H

NO BACK UP
DOCUMENTATION
FOR THIS AGENDA
ITEM # I

NO BACK UP
DOCUMENTATION
FOR THIS AGENDA
ITEM # J

NO BACK UP
DOCUMENTATION
FOR THIS AGENDA
ITEM # K



County Supervisor Mary Nejedly Piepho, District III

TownOfDiscoveryBay CSD
Received

CONTRA COSTA COUNTY BOARD OF SUPERVISORS

NOV 01 2011

COMMITTEES

Internal Operations Committee

Data Protection Commission

Transportation, Water & Infrastructure Committee

Tri Valley Transportation Committee

Local Agency Formation Commission

Central Contra Costa Solid Waste Authority

Airport Committee

Association of Bay Area Governments

Contra Costa Regional Medical Center Joint Services Committee

Dougherty Valley Oversight Committee

South West Area Transportation

October 27, 2011

Philip Kader, Chief Probation Officer
Contra Costa County
50 Douglas Drive Ste. 201
Martinez, CA 94553

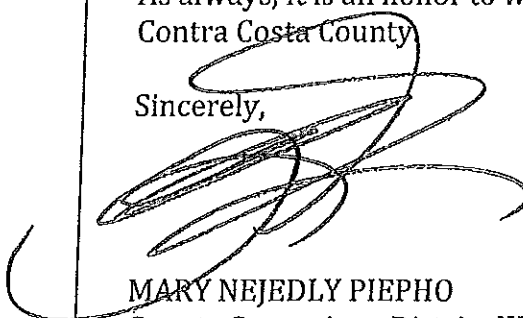
Dear Mr. Kader,

Please find here within correspondence from the Town of Discovery Bay Community Services District regarding their concerns and suggestions in response to the recent escape of four wards at the Orin Allen Youth Rehabilitation Facility.

I request that you review the enclosed correspondence and provide a response to the Town of Discovery Bay Community Services District. I look forward to hearing from you regarding this matter.

As always, it is an honor to work with you in service to the constituents of Contra Costa County

Sincerely,


MARY NEJEDLY PIEPHO
County Supervisor, District III

Cc: Kevin Graves, President, Town of Discovery Bay CSD
Dave Ellis, Probation Manager, Contra Costa County
David Twa, CAO



TOWN OF DISCOVERY BAY CSD

President - Kevin Graves • Vice-President - Brian Dawson • Director - Mark Simon • Director - Chris Steele • Director - Ray Tetreault

October 5, 2011

Honorable Supervisor Mary N. Piepho, District III
Contra Costa County Board of Supervisors
181 Sand Creek Road, Suite L
Brentwood, CA 94513

Subject: Orin Allen Youth Rehabilitation Facility (Byron Boy's Ranch)

Dear Supervisor Mary N. Piepho:


On behalf of the Board of Directors of the Town of Discovery Bay Community Services District ("District") and the residents of Discovery Bay, I am writing to you today about community concerns relative to proximity of the Byron Boy's Ranch to Discovery Bay. As a result of the recent escape of four (4) Camp wards, the District received several suggestions from the Board and members of the community at its September 21, 2011 Board of Directors meeting.

The Board and residents were surprised to learn that the Ranch facilities are not fully secured and are not completely enclosed by fencing. Consequently, the question was raised whether the Ranch should consider fully enclosing and securing the facility to avoid future escape attempts and provide improved sense of safety for nearby residents?

Additionally, the reverse 911 telephone call that was made to residents notifying of the escape arrived a full three (3) hours after the actual escape took place. While the District and its residents are grateful the County operates the reverse 911 emergency call system network, we would like to encourage the county to improve response times and endeavor to notify residents of emergency situations in a more timely fashion.

If you have any questions, please feel free to contact me at your convenience.

Sincerely,


J. Kevin Graves, Board President
Town of Discovery Bay CSD

RH/ca

Cc: Board of Directors
Orin Allen Youth Rehabilitation Facility
Sheriff David Livingston, Contra Costa County
Lieutenant Alan Johnson, Contra Costa County Office of the Sheriff
Office of Emergency Services, Contra Costa County

NOV 07 2011

TRANSPLAN COMMITTEE
Antioch - Brentwood - Pittsburg - Oakley and Contra Costa County

MINUTES

October 13, 2011

The meeting of the TRANSPLAN Committee was called to order in the Tri Delta Transit Board Room, 801 Wilbur Avenue, Antioch, California by Chair Brian Kalinowski at 6:30 P.M.

ROLL CALL

PRESENT: Gil Azevedo* (Antioch), Jim Frazier (Oakley), Ben Johnson (Pittsburg), Bruce Ohlson (Pittsburg), Mary Piepho (Contra Costa County Board of Supervisors), Kevin Romick (Oakley), Duane Steele (Contra Costa County Planning Commission), Robert Taylor (Brentwood), Joe Weber (Brentwood), and Chair Brian Kalinowski (Antioch)

ABSENT: Carmen Gaddis (Alternate, Contra Costa County Board of Supervisors)

STAFF: John Cunningham, TRANSPLAN Staff
David Schmidt, Legal Counsel

* Arrived after Roll Call

PUBLIC COMMENT

There were no comments from the public.

CONSENT ITEMS

On motion by Jim Frazier, seconded by Ben Johnson, TRANSPLAN Committee members unanimously adopted the Consent Calendar, as follows, with the removal of Item 4.

3. Adopted Minutes from September 8, 2011 TRANSPLAN meeting.
4. Accept Correspondence. **[REMOVED FOR DISCUSSION]**
5. Accepted Recent News Articles.
6. Accepted Status Report on Major Projects.

ACCEPT CORRESPONDENCE

Bruce Ohlson presented a comment for the record to the letter to the Metropolitan Transportation Commission (MTC) from the Contra Costa Transportation Authority (CCTA) dated September 29, 2011 regarding Comments on July 8, 2011 Draft Proposal for OneBayArea Grant Program, specifically recommendation 6e, *Eliminate the complete streets policy requirement since, again, relatively few agencies have completed them and, in any case, they are not required under State law until an agency substantially updates its Circulation Element*, and emphasized that infrastructure constructed should be for all citizens and not just for motorists.

On motion by Bruce Ohlson, seconded by Mary Piepho, TRANSPLAN Committee members unanimously accepted the correspondence.

Chair Kalinowski advised that the item on the agenda for authorization to enter into Memorandum of Understanding (MOU) with Contra Costa Transportation Authority and the East Contra Costa Regional Fee and Financing Authority (ECCRFFA) would be moved to the end of the agenda to allow Legal Counsel to be present.

APPROVE AMENDMENT NO. 1 TO THE 2011 MEASURE J STRATEGIC PLAN

John Cunningham, TRANSPLAN staff, advised that the Measure J Strategic Plan scheduled commitments for Measure J funds and in order to shift funds for construction management activities, an amendment in this case for \$200,000, was needed. He explained that the only other option to provide the funding needed for construction management activities was to wait for Corridor Mobility Improvement Account (CMIA) dollars although the distribution date of that funding was unknown. The shift of funds would allow the availability of funds now.

On motion by Mary Piepho, seconded by Bob Taylor, TRANSPLAN Committee members unanimously approved Amendment No. 1 to the 2011 Measure J Strategic Plan.

AUTHORIZATION TO ENTER INTO MEMORANDUM OF UNDERSTANDING WITH CONTRA COSTA TRANSPORTATION AUTHORITY AND THE EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY

The item was moved to the end of the meeting.

CONSIDER REPORT ON STATUS OF REGIONAL FEE PROGRAM REQUIREMENTS / CITY OF PITTSBURG AND TAKE ACTION AS APPROPRIATE

Mr. Cunningham explained that the CCTA's Planning Committee had discussed an item of compliance with the Growth Management Program (GMP) with the City of Pittsburg and ECCRFFA at its last meeting. He stated that the Planning Committee had asked him to return with a draft letter, which had been done. Noting a need for clear direction, he had quoted the CCTA's March 16, 2011 letter to the City of Pittsburg that *compliance with the GMP requires approval from TRANSPLAN*, and that *compliance with the RTMP requirements in the GMP requires TRANSPLAN's approval of the City's actions*, which language had been taken directly from the East County Action Plan and the GMP.

On motion by Joe Weber, seconded by Gil Azevedo, TRANSPLAN Committee members unanimously approved the draft letter to the Contra Costa Transportation Authority and authorized the TRANSPLAN Chair to sign the letter.

RECEIVE UPDATE: STATE ROUTE 4 INTEGRATED CORRIDOR ANALYSIS

Mr. Cunningham noted that the State Route 4 Integrated Corridor Analysis had been a standing item for some months. The study had been put on hold while a number of options had been developed and reviewed. Those options had now been submitted to the TRANSPLAN Technical Advisory Committee (TAC) for review and analysis to be discussed next week by the TAC, with updates to be forthcoming to the TRANSPLAN Committee.

AUTHORIZATION TO ENTER INTO MEMORANDUM OF UNDERSTANDING WITH CONTRA COSTA TRANSPORTATION AUTHORITY AND THE EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY

Ross Chittenden of the CCTA stated that the item related to request of the State Route 4 Bypass Authority for County staff to assume responsibility for project development activities to design and construct capital improvement projects to complete Segments 1 and 2 of the SR4 Bypass. Since the CCTA had limited funds having secured \$83 million in various funding for the SR4 Bypass/SR160 connector ramps and the SR4 Bypass Widening/Sand Creek interchange projects with funding in a not-to-exceed amount, he advised of the need to secure financial cover in the event that costs exceeded those amounts.

Mr. Chittenden explained that the TRANSPLAN Committee had control over delegating funds for East County. The purpose of the MOU was to specify the roles and responsibilities for the budget provided and to keep TRANSPLAN and ECCRFFA informed as to the progress and expected cost and completion of those projects. If there was a potential for costs to exceed the available funds, the MOU would provide a cooperative spirit to resolve those issues. He clarified that neither agency had provided final review of the MOU at this time.

Mr. Chittenden asked for direction from the TRANSPLAN Committee and recommended approval of the MOU substantially as to form. He clarified that staff of the agencies would meet and resolve any differences to be able to submit the document to the CCTA next week. He added that substantial changes would return to the TRANSPLAN Committee next month.

Jim Frazier wanted to ensure that any and all utilities or conduits needed to be addressed would be addressed prior to commencement of the project and that any landowner situated to the west of the complete project be advised prior to proceeding.

Bob Taylor also wanted to make sure that any landowner, particularly along the Sand Creek Interchange, be notified of the timing of the project.

Mr. Cunningham clarified that staff was asking for approval of the MOU substantially in the form provided in the redline strikeout benched version of the document which superseded the version in the TRANSPLAN packet.

Ben Johnson verified with staff that the matter would be discussed by the SR4 Bypass Authority. He suggested that the item be discussed by the SR4 Bypass Authority prior to consideration by the TRANSPLAN Committee.

Mr. Chittenden clarified that the subject MOU related to funding and was being set up with a three-party transaction which was different from the MOU on the SR4 Bypass Authority agenda which addressed roles and responsibility, but not funding.

Chair Kalinowski noted that if the SR4 Bypass Authority did not support the MOU it would not move forward even if approved by the TRANSPLAN Committee.

Legal Counsel David Schmidt clarified that the CCTA had not yet been provided the MOU and if the changes were acceptable to the CCTA it could approve the MOU pursuant to form and could sign the agreement, which would not have to return, although if there were substantive disagreements the TRANSPLAN Committee would have to review the item again. He noted that the CCTA would be taking the lead role and would manage the project.

Mary Piepho did not want to delay the item but requested that any final version approved by the CCTA return to the TRANSPLAN Committee for final approval even if there were only minor changes.

Mr. Schmidt agreed that could be done.

On motion by Jim Frazier, seconded by Gil Azevedo, TRANSPLAN Committee members unanimously authorized the Chair to enter into a Memorandum of Understanding in concept with the TRANSPLAN Committee and the East Contra Costa Regional Fee and Financing Authority, and delegate authority to the Executive Director to make non-substantive changes to the MOU, with the MOU to return to the TRANSPLAN Committee for final approval.

ADJOURNMENT

Chair Kalinowski adjourned the TRANSPLAN Committee meeting at 6:53 P.M., to November 10, 2011 at 6:30 P.M. or other day/time deemed appropriate by the Committee.

Respectfully submitted,

Anita L. Tucci-Smith
Minutes Clerk

Meeting Handouts:

- Amended Memorandum of Understanding (CCTA Agreement 14.05.04)
- Letter from the TRANSPLAN Committee dated October 13, 2011 to the Chair of the Contra Costa Transportation Authority Re: City of Pittsburg's compliance with the Measure J Growth Management Program.



NOV 07 2011

County Supervisor Mary Nejedly Piepho, District III

CONTRA COSTA COUNTY BOARD OF SUPERVISORS, VICE CHAIR

COMMITTEES

Internal Operations Committee, Chair

Transportation, Water and Infrastructure Committee, Chair

Contra Costa Regional Medical Center, Joint Conference Committee and Professional Affairs Committee, Chair

Sacramento-San Joaquin Delta Conservancy, Chair

Airport Committee, Vice Chair

Delta Counties Coalition

Delta Protection Commission

Central Contra Costa Solid Waste Authority

East Bay Economic Development Alliance

Tri-Valley Transportation Committee

Dougherty Valley Oversight Committee

Doctors Medical Center Management Authority Governing Board, Joint Powers Authority

City-County Relations Committee

SERVING AS ALTERNATE

Local Agency Formation Commission

Contra Costa Transportation Authority

Association of Bay Area Governments

East Contra Costa Regional Fee and Finance Authority

East County Water Management Association

eBART Partnership Policy Advisory Committee

East Contra Costa County Habitat Conservation Plan, Executive Governing Board

Mental Health Commission

San Joaquin Valley Rail Committee

State Route 4 Bypass Authority

South West Area Transportation

TRANSPAC, Central County Transportation Partnership and Cooperation

TRANSPLAN, East County Transportation Planning

November 3, 2011

Kevin Graves, President
Town of Discovery Bay CSD
1800 Willow Lake Road
Discovery Bay, CA 94505

Dear President Graves and Members,

Please find enclosed a Board Order from the November 1, 2011 Board of Supervisors' meeting that I believe will be of interest to the Town of Discovery Bay Community Services District as it is regarding the appointment of Cheryl Morgan to the East Contra Costa Fire Protection District.

1.) Appointment to the East Contra Costa Fire Protection District.

Please feel free to contact my office regarding this or any additional matter at (925) 240-7260.

As always, it is an honor to serve you on the Contra Costa County Board of Supervisors.

Sincerely,

MARY N. PIEPHO
County Supervisor, District III

MNP: kc

PDF Return Previous Next

C.20

To: Board of Supervisors

From: INTERNAL OPERATIONS COMMITTEE

Date: October 10, 2011



Contra Costa County

Subject: APPOINTMENT TO THE EAST CONTRA COSTA FIRE PROTECTION DISTRICT

RECOMMENDATION(S):

APPOINT the following individual to the East Contra Costa Fire Protection District Board of Directors to the term indicated below, as recommended by the Internal Operations Committee:

BOS Appointee #2: Cheryl Morgan, 6040 Morgan Territory Road, Clayton, CA 94517. Term Expiration: February 4, 2014

FISCAL IMPACT:

No fiscal impact

BACKGROUND:

On October 27, 2009, the Board of Supervisors (BOS) adopted Resolution No. 2009/940 consenting to a change in the governing structure of the East Contra Costa Fire Protection District (ECCFPD) from a board of directors comprised of the Contra Costa County Board of Supervisors to a board of directors appointed by the cities of Brentwood and Oakley and the County. The new governing structure consists of nine directors; four from the City of Brentwood, three from the City of Oakley, and two appointed by the Board of Supervisors.

APPROVE RECOMMENDATION OF CNTY ADMINISTRATOR OTHER RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: 11/01/2011 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: November 1, 2011

David J. Twa,

NOTE OF SUPERVISORS

AYES []

NOES []

BACKGROUND: (CONT'D)

On September 27, 2011, the Board of Supervisors declared vacant the seat held by Director John Jewell after receiving a letter of resignation and directed the Clerk of the Board to post the vacancy. On October 15th, the Internal Operations Committee interviewed applicants to fill the vacancy and nominated Cheryl Morgan for appointment by the Board of Supervisors.

Today's action would appoint Cheryl Morgan to the ECCFPD Board for the remainder of the seat term ending February 4, 2014.

CONSEQUENCE OF NEGATIVE ACTION:

The seat will remain vacant resulting in reduced representation of the County on the ECCFPD Board.

CHILDREN'S IMPACT STATEMENT:

No impact.

AgendaQuick©2005 - 2011 Destiny Software Inc., All Rights Reserved

Probation Department
Administrative Offices

50 Douglas Drive, Suite 201
Martinez, California 94553-8500
(925) 313-4180
FAX (925) 313-4191

Contra
Costa
County



Philip F. Kader
Town of Discovery Bay CSD

Received

NOV 07 2011

November 2, 2011

J. Kevin Graves
Board President
Town of Discovery Bay CSD
1800 Willow Lake Road
Discovery Bay, CA 94505-9376

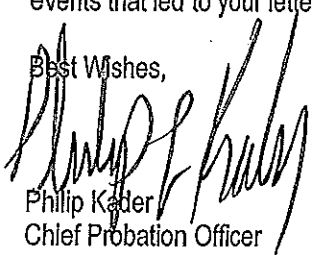
Re: Orin Allen Youth Rehabilitation Facility

I want to personally thank you for your letter regarding the Orin Allen Youth Rehabilitation Facility (OAYRF) dated October 5, 2011. We fully understand the concern you have over the process of the notification you received from the Sheriff Department. We would like to take a moment of your time to respond to your concerns.

Our Ranch is considered a minimum security treatment facility for youth who have begun to involve themselves in criminal activity. As you know the youth are ordered to the facility by the Juvenile Court. The fencing around it was designed to discourage intruders and provide a clear demarcation of the boundaries for the youth. Regrettably, there is a rare moment when youth decide to not follow the clearly established rules of the Ranch and walk away. This is not only unfortunate for the youth (as every single one that has done so since the opening of the facility in 1960 has ultimately been located, arrested and delivered to our Juvenile Hall), but obviously causes anxiety for our surrounding communities and our Department. These youth are brought back to the Court and receive further consequences for their behavior. Prior to this last event you mentioned no one had walked away from the facility for over a full year.

Our Department remains fully committed to the safety and concerns of our communities while satisfying our mandated responsibilities to provide services to our youth sent to our Juvenile Hall and Ranch. The OAYRF is routinely inspected by the State Corrections Standards Authority, Juvenile Court Judges, Juvenile Justice Commission and the Contra Costa County Grand Jury. I go to the facility on a regular basis and am proud of our team that manages the youth. We will continue to do everything we can to provide comprehensive supervision of our youth at the Ranch and sincerely regret the events that led to your letter of concern.

Best Wishes,


Philip Kader
Chief Probation Officer

c: Supervisor Mary N. Piepho
County Administrator David Twa
Sheriff-Coroner David Livingston

2011 Discovery Bay Kevin Graves Letter Re OAYRF